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New York.

HISTORY OF TEXAS

FROM

ITS FIRST SETTLEMENT IN 1685

TO

ITS ANNEXATION TO THE UNITED STATES IN 1846

By H. YOAKUM, Esq.

IN TWO VOLUMES

VOL. I

WITH AN EXTENDED APPENDIX

REDFIELD
34 BEEKMAN STREET, NEW YORK
1856

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DEDICATION.

To Peter W. Gray, Esq.

Dear Sir: I present you with the first volume of my History of Texas. It doubtless has many defects, and I can only regret that I have nothing better to offer. It is the fruit of days and nights stolen from other pursuits.

I am greatly indebted to you for papers and suggestions. I owe a like debt to Jesse Grimes, Esq., Dr. B. B. Goodrich, General H. H. Edwards, Colonel J. C. Harrison, Colonel S. A. Miller, and several other gentlemen; but, especially, to F. Giraud, Esq., and Colonel John Forbes.

The materials for the history of Texas during the last century are very slender; yet it is believed there are more in existence. For instance — 1. The correspondence of the Franciscan friars from 1716 to 1794 is believed to be in the parent-convents of Queretaro and Zacatecas. This would throw a flood of light upon that period. 2. The thirty folio volumes, covering the transactions in Texas for the first half-century of its history, were forwarded to the king of Spain in 1744, and are probably in the archives of Salmanca, in Spain. 3. The Berlandier manuscripts. Dr. Berlandier, a Swiss geographer, was engaged in Mexico and Texas from 1826 to 1850 in collecting documents and facts, historical, geographical, &c., and died in Matamoras in the last-named year, leaving his extensive manuscripts in the hands of his widow. These she sold to an officer of the United States navy. He has deposited them in the Smithsonian Institution for safekeeping, desirous to dispose of them to the government. When accessible, they will doubtless throw light upon the history of our state. 4. Don Ramon Arispé, curate of Bourbon, in Tamaulipas, promised the king of Spain, in his memorial of 1811, to write a history of the eastern internal provinces. If he did so, I have not seen it.

Besides these materials, of which I have not had the benefit, there are doubtless in the archives of Mexico, Chihuahua, Saltillo, and Monclova, many valuable historical papers. In Bexar there are some yet unpublished. Our legislature directed the appointment of a person to arrange and translate these last-named papers, and made an appropriation for that purpose; but the gentleman appointed has made no report to my knowledge. The want of these materials must be my excuse for not furnishing something more worthy of your consideration.

The materials for the second volume, which will close with our annexation, will be more ample. In the meantime, if the perusal of this volume shall afford you half the pleasure I had in its compilation, I shall be more than gratified.

Very truly your friend,

H. YOAKUM.

SHEPHERD'S VALLEY, TEXAS, *July* 3, 1854.

INTRODUCTION.

The gulf of Mexico is somewhat in the shape of a horseshoe, having at the two heels Capes Florida and Catorce, and a perimeter of three thousand miles. Its opening is defended and adorned by the island of Cuba, possessing some of the finest harbors in the world. Commencing at Cape Florida, we find the ports and harbors are as numerous as could be desired. They are—Tampa, Apalachie, Mobile, New Orleans, Achafalaya, Calcasieu, Sabine, Galveston, Matagorda, Corpus Christi, Brasos Santiago, Soto la Marina, Tampico, Vera Cruz, Tehuantepec, Campeachy, Sisal, and Sagartos. True, some of them are of small capacity; yet they are sufficient for the vast commerce of this great inland sea, and the rich territories that border it.

At the toe of this great shoe lies the territory of Texas, extending from the twenty-sixth nearly to the thirtieth parallel of north latitude, a distance of 380 miles along the coast. It extends into the interior to the parallel of thirty-six and a half degrees north, and lies between the ninety-fourth and the one hundred and fifth degrees of longitude west from Greenwich—embracing an area of two hundred and thirty-seven thousand square miles, or about one hundred and fifty millions of acres. The country along the coast is a level prairie; but, as you pass to the interior, the surface gradually rises and becomes more undulating—and, still farther inland, hilly, and then mountainous. Timber also begins to appear as the country becomes more undulating, especially in the eastern portion of the state. Yet, after crossing an extensive belt of timber, and reaching more than a hundred miles from the coast, you find the high, rolling prairies—composed of the richest soil in the world, covered with musquit-grass, and having, along the streams and valleys, sufficient timber for ordinary purposes.

Texas is an alluvial country, having very little rock on its surface. Everywhere is to be found unmistakeable evidence of its having been submerged. In the extreme northern part primitive rocks may be found, though in the inhabited portion they are never seen. The variety of her latitude and elevation gives to her citizens a like variety of climate and productions. In the south, they grow oranges and sugar-cane; in the middle region, cotton; farther north, wheat; and potatoes, corn, and vegetables, everywhere. In fact, there is no country of like extent where a greater variety and quantity of agricultural productions can be raised; nor is there any country where the laborer can find a more certain and better reward for his toil.

Circumstances alone have postponed to these latter days the development of the vast resources of Texas. Galveston, her principal harbor—situated about four hundred miles from New Orleans, seven hundred from Vera Cruz, and eight hundred from Cuba—affords her a commercial outlet sufficient for her growing purposes. When her interior shall be supplied with railroad facilities—and in no country can they be more cheaply built—she will have nothing further to desire.

CONTENTS OF VOLUME I.

CHAPTER I.

First European Emigrants to Texas—La Salle—Discovery of the Mouth of the Mississippi—Voyage of La Salle—Beaujeu—Vessels wrecked—Put in at Petit Gonave—Again set sail—Coast along the Shore of Texas—Return to Matagorda Bay—Put in there—Land and Encamp—Loss of the Aimable—La Salle in Search of the Mouth of the Mississippi—Trouble with the Indians—Departure of Beaujeu—La Salle's Colonists—Tour of Discovery in the Interior of Texas—Return—Bad Condition of the Colony—New Location on the Lavaca—Fort St. Louis.. PAGE 13

CHAPTER II.

Nearest Spanish Settlements to La Salle—Other Settlements in North America—The Early Texan Indians: Lipans, Carankawaes, Cenis, Nassonis, Camanches—Ownership of Texas—Pretensions of Spain—Origin of Dispute as to the Title.. PAGE 25

CHAPTER III.

Further Exploration by La Salle—Loss of the Belle—Journey to the Illinois—Its Failure—Return of the Party—Preparations for a Second Journey—La Salle and Twenty of his Party again set out—Reach the town of Texas, on the Neches—Mutiny—Death of La Salle—Mutineers kill Each Other—Heins left with the Cenis Indians—Joutel and Six Others set out for France—Destruction of the Remnant of Fort St. Louis—March of De Tonti from the Illinois to relieve La Salle.. PAGE 33

CHAPTER IV.

News of La Salle's Colony reaches Mexico—Captain Alonzo De Leon sent against it—Found the Post abandoned—De Leon's Second Visit—Don Domingo Teran first Governor—Makes Settlements—Mission of San Francisco on Bernard Bay—St. John, at the Presidio on the Rio Grande—Settlements and Missions abandoned in 1693—Discovery of the Rio Grande—Movements in Louisiana—Crozat—Huchereau St. Denis—His Visit to the Presidio on the Rio Grande, in 1714—Arrested—Sent to Mexico—Released—New Steps taken by the Spaniards to occupy Texas—Mission at San Bernard Bay—Adaes—Dolores—San Antonio de Valero—Domingo Ramon—Nacogdoches—Aes—First Buildings—Indians—Name of Texas.. PAGE 44

CHAPTER V.

Missionaries—Jesuits—Dominicans—Franciscans—Labors of the Latter in Texas—Presidios—Missions—Troops—Forts—Rules in the Missions—Neophytes—Reports of the Missionaries—Mode of bringing in Wild Indians—Missions of Catholics and Protestants—Missionary Regulations of Government—Council of the Indies—Encomiendas—Peonage—Taxes—Clergy of New Spain—Right of Patronage—Mission Buildings .... PAGE 58

CHAPTER VI.

Second Expedition of St. Denis, 1716—Seizure of his Goods at the Presidio—His Journey to Mexico—Imprisonment—Release—Escape of his Company—Crozat surrenders his Charter—War between France and Spain, 1718—Campaign of La Harpe and St. Denis against Texan Missions—Repelled by De Aguayo—De Alarconne new Governor of Texas—He demands more Men and Money—Correspondence with La Harpe—His Demand refused, and he resigns—Belleisle—His Wanderings in Texas—His Escape from the Indians—Spanish Expedition from Santa Fé, 1720—Its Destruction—The French reoccupy Fort St. Louis on Matagorda Bay—Abandon it.......................... PAGE 65

CHAPTER VII.

New Efforts of the Spaniards to occupy Texas—New Posts and Missions—Colonists recommended by Aguayo—Spanish Forces in Texas—Description of the Troops—St. Denis gets up a Contraband Trade—War between Spain and England, 1726—Western Limit of Texas—Order for New Colonists from the Canaries—Reduction of the Forces in Texas—Attack of the Natches on Natchitoches, of the Apaches on the Spaniards—Arrival of Colonists—Victory over the Indians—Governor Sandoval, 1734—His Zeal—Dispute with St. Denis about the Eastern Limit of Texas—Their Correspondence—Governor Franquis supersedes Sandoval—Throws him into Prison, 1736—Tyranny of Franquis—Lawsuit between him and Sandoval—Governor Boneo arrives—Takes Testimony in the Suit between the Ex-Governors—Sandoval acquitted—Suit renewed—Sandoval again acquitted—Condition of Texas in 1744—Population—Mission of San Saba—Its Destruction, 1758.......................... PAGE 74

CHAPTER VIII.

Affairs in Spain—War between England and France—Spain drawn into it—Cession of Louisiana to Spain, 1762—Eastern Limit of Spanish Territory—The Balance of Power—Effect of the Cession of Louisiana—Abandonment of the Posts of Adaes and Orquizaco—Mission of the Marquis de Rubi—Commerce between Texas and Louisiana—The Casa de Contratacion—Restrictions on Trade—Galleons—Mail-Packets—Smuggling—Population of Texas in 1765—Growth of Anglo-American Colonies—Their Progress West—Part taken by France and Spain in the American Revolution—Building up of Nacogdoches .... PAGE 90

CHAPTER IX.

José Galvez—Dispute between United States and Spain about the Boundary—Opinion of La Fayette—Navigation of the Mississippi—Motive of Spain in objecting to its Navigation by Americans—The Discussion—Manuel Godoy—Treaty of 1795—Trade between Natchez and Texas—Indians—History of the Alamo—Missions secularized, 1793—The Abandonment of Adaes—Refugio—La Bahia—Spirit of Progress—Death of Galvez .... PAGE 101

CHAPTER X.

Philip Nolan—Expedition to Texas—His Company—Adventures—Horses stolen and recovered—Battle of Nolan's Creek, March 22, 1801—Nolan killed—Bean takes Command—Treaty—Bean and his Party imprisoned—Taken to San Luis Potosi—Re-cession of Louisiana to France, October, 1800—Obstruction of the Navigation of the Mississippi—Excitement—Purchase of Louisiana by the United States—Debates on the Subject—Inquiries as to the Boundary of Louisiana—Controversy with Spain—The Special Embassy—Discussion—Propositions—Influence of Bonaparte—Warlike Attitude of Spain—Spanish Outrages on the Frontier—Gathering of Troops—Old Settlements on Red River—Governor Cordero .... PAGE 111

CHAPTER XI.

Americans prepare to drive the Spaniards West of the Sabine—Arrival of Governor Claiborne—General Wilkinson—The two Armies separated only by the Sabine—Correspondence—Agreement—The Neutral Ground—Pike's Expedition—Steps taken to capture him—He gets lost—Is taken on the Rio Grande—Condition of Texas at the Close of 1806—American Squatters—The Old Missions—Population of Texas—Society in 1806—Scene at Albuquerque—Commerce of Texas—Coahuila—Pass del Norte .... PAGE 131

CHAPTER XII.

Miranda—Spirit of Liberty in Mexico—Burr—His Capture—Napoleon's Designs upon Spain—Overturns the Bourbon Dynasty, and places his Brother Joseph on the Spanish Throne—Effect in Mexico—Viceroy about to call a Popular Assembly—Imprisoned—Influence of the Junta of Seville—Revolution in Spanish America—Hidalgo—Proposals of Spanish Junta—Successes and Reverses of Hidalgo—Captured and put to Death—Colonel Delgado and Bernardo Gutierres—The Latter escapes to Louisiana—Occupants of the Neutral Ground—Their Outrages—Attempts to remove them—Lieutenant Magee—His Connection with Gutierres—Preparations for the Gachupin War—Battle at Salitre Prairie—Rout at Nacogdoches—At Trinidad—Salcedo—Preparations to defend Texas—Morelos—Bean—His Adventures—Release from Prison—Republican Officer in Mexico—Takes Acapulco.............. PAGE 143

CHAPTER XIII.

Gutierres advances upon La Bahia, October, 1812—Ambush laid for them—Pass around it and surprise La Bahia, November 14, 1812—Plunder taken—Salcedo besieges them there—Several Unsuccessful Assaults—Treaty between Magee and Salcedo—Americans refuse to ratify it—Magee's Death—Battle—Salcedo worsted, raises the Siege, and retires toward San Antonio—Americans pursue him—Battle of Rosalis—Surrender of Salcedo and his Staff—Occupation of San Antonio—Massacre of Salcedo and his Staff by Order of Gutierres

—Dismissal of Gutierres—Colonel Perry—Manchaca—Approach of Elisondo—Battle of the Alazan—Flight of the Spaniards—Toledo in Command of the "Republican Army of the North"—Battle of the Medina—Defeat and Butchery of Americans—Cruelty of the Spaniards at San Antonio and Trinidad.. PAGE 162

CHAPTER XIV.

Relations of Spain with the United States, 1808-1815—Baton Rouge annexed to Louisiana, October 27, 1810—War in Mexico—Calleja—Ferdinand VII. restored to his Throne—Toledo preparing to prosecute the War in Mexico—Sympathy of the People in the Southwestern States—The Mexican Clergy—Colonel Perry—Galveston Island—Don Luis Aury occupies the Island—Xavier Mina—His Movements—Treachery of Toledo—Mina, Perry, and Aury, at Galveston—Prosperity of the Place—Africans brought to the Island—Smuggled into the United States—Attack upon Soto la Marina—Perry returns—Mina's Successes, Capture, and Death—Perry's Attack on La Bahia—His Defeat and Death—Lafitte—Barataria—Broken up by Commodore Patterson—Offer made to Lafitte by the British Government—His Refusal—At the Battle of New Orleans—His Pardon—Occupies Galveston Island, April, 1817—His Authority—Commission from Colonel Bean .... PAGE 177

CHAPTER XV.

Aury returns to Matagorda—Leaves Texas, to assist M'Gregor in taking Florida—Lafitte prospers greatly—French Settlement on the Trinity—Lafitte's Town of Campeachy—Indians—Battle of the "Three Trees"—Discussion between the United States and Spain—Treaty of 1819—Texas abandoned to Spain—General Long and his Expedition—His Government—Visit to Lafitte for Aid—Advance of the Royalists—Defeat of Captain Johnson—Of Captain Walker—Of David Long—His Death—Flight of Long's Party from Nacogdoches—Battle between Major Smith and Colonel Perez on the Trinity—Retreat of the Americans to Bolivar Point—Lafitte in Difficulty with the United States—Hangs Brown—Lieutenant Kearney sent against him—Lafitte leaves Texas—Success of the Royalists under Apodaca—Treachery of Iturbide—Pronouncement of Iguala—Apodaca deposed, and Novella made Viceroy—Arrival of O'Donojú—Treaty of Cordova, August 24, 1821—Independence of Mexico—Long sets out to attack La Bahia—His Capture and Assassination.. PAGE 193

CHAPTER XVI.

The Austins—Moses Austin applies for a Colony Contract—Obtains it—Dies—Stephen F. Austin undertakes to carry out the Contract—Erasmo Seguin—Austin's Means—Arrives in Texas in July, 1821—First Colonists, December, 1821—Austin's Journey to Mexico—His Efforts to have his Grant confirmed by Iturbide—Other Applicants—Hayden Edwards—The Cherokees—Iturbide disperses the Mexican Congress—Creates a Junta—First Colonization Law—Iturbide dethroned by Santa Anna and Others—Constituent Congress—Federal Constitution of 1824—San Antonio—Immigrants—Carankawaes—Second Battle of the "Three Trees"—More Troubles with the Indians—Battle of Jones's Creek—Peace with the Carankawaes—Austin's Return—His New Town—Prosperity of the Colony—Austin's Zeal .... PAGE 209

CHAPTER XVII.

Mexican State Constitutions—Texas united with Coahuila—First State Congress, August 15, 1824—Chief of the Department of Texas—Saucedo—State Colonization Law, March 24, 1825—Leftwitch and Edwards's Grants—Independent Immigrants on the Trinity—Boundary of Edwards's Grant—His Difficulties—Bean—John Dunn Hunter—Correspondence between Edwards and the Political Chief—Troubles at Nacogdoches—Tramel at Robbins's Ferry—B. W. Edwards—Hayden Edwards's Grant annulled—Fredonian Emeute—Norris—Gaines—Martin Parmer—Treaty with the Cherokees—Expulsion of Norris and his Party—Failure of the Fredonians to obtain Assistance—Advance of the Mexicans under Colonel Ahumada—Retreat of the Fredonians across the Sabine .... PAGE 230

CHAPTER XVIII.

Prosperity of Austin's Colony—Dewitt's Colony—Deaf Smith—State Constitution—Representatives—Ayuntamientos—Mexican Troops for Texas—Guadalupe Victoria—Poinsett—Masonic Lodges—Bravo—Expulsion of the Spaniards—Poverty of the State of Coahuila and Texas—Growth of the Colonies—Gonzales—Campaign against the Wacoes and Twowokanae—Trade with Santa Fé—Decree in favor of Debtors—Peonage—Slavery—Election of Pedraza—Revolution—Guerrero made President—Attempts of the United States to re-purchase Texas—Settlement of Liberty—Education—Mexican Schoolmaster—Progress of the Settlements—Guerrero made Dictator—Slaves—José Maria Letono—James Bowie—Decree of April 6, 1830, against American Colonists—General Teran—Mexican Forces in Texas—Steps toward a Military Despotism .... PAGE 251

CHAPTER XIX.

American Population in Texas in 1831—Usurpations of the Military Authority—United States propose to purchase Texas—Mexican Jealousy of American Immigrants—Obnoxious Measures of the Mexican Government—Search for the Silver-Mines of San Saba—Desperate Battle with the Indians—Mexican Revolution of 1832—Capture of Fort Velasco by the Texans—Feeling in Texas in 1832—Battle of Nacogdoches—Mexican Defeat .... PAGE 274

CHAPTER XX.

Proposed Separation of Texas and Coahuila—Civil War between Santa Anna and Bustamente—Course of Colonel Austin—Sam Houston—Sketch of his Life—His Mission to Texas in 1832—Indian Wars—Election of Santa Anna as President of Mexico—Constitutional Convention of 1833—Attempt to make Santa Anna Dictator—Imprisonment of Austin—Proceedings of Texan Legislature—Change of Government in Mexico—Attempts to organize a Judiciary in Texas—Civil War imminent in the State—Disputes of Saltillo and Monclova—Release of Austin—Separation of Texas and Coahuila refused by Santa Anna—Almonté's Report on Texas—Attempt of the Creek Indians to obtain a Settlement in Texas .... PAGE 301

CHAPTER XXI.

First Revolutionary Movement in Texas in 1834—Acts of the Mexican Congress in 1835—State Election in Texas and Coahuila—Revolt of Saltillo—Legislative Proceedings—Temporizing Policy of Santa Anna—Course of the Federal Congress—Massacre and Plunder of Zacatecas—Organization of Committees of Safety by the Texans—Ugartachea, the Mexican Commandant in Texas—Movements of the War and Peace Parties—Conciliatory Meeting at San Felipe—Meeting at Navidad—Feeling at Nacogdoches—Flight of Zavalla into Texas—Mexican Spies—Orders to arrest Suspected Persons—Attempt of Santa Anna to arrest Zavalla—War-Party in the Ascendency—Meeting at San Augustine—Movements of Santa Anna toward Despotic Authority—Continued Hostile Policy toward Texas .... PAGE 329

CHAPTER XXII.

Committees of Safety and Correspondence formed at Columbia—Texan Pronunciamento—Movement for a General Consultation of all Texas—Return of Austin to Texas—Address of Austin—Land-Frauds—Mexican Spy—Arrival of Cos with Additional Troops in Texas—Opening Conflict of the Revolution—Warlike Enthusiasm throughout Texas—Destruction of the Federal Constitution in Mexico—Texas Council of Safety organized—Capture of Goliad by the Texans—Aid rendered the Texans in Men, Arms, and Provisions—Texan Encampment at Concepcion—Battle of Concepcion, and Defeat of the Mexicans—First Government of Revolutionary Texas—Proceedings of the Central Council .... PAGE 354

APPENDIX.

1. Old Bexar Manuscript .... PAGE 381
2. Memoir of Ellis P. Bean 403
3. Official Proceedings of Lafitte's Government at Galveston Island.... 453
4. Notes on the Alamo 457
5. Hayden Edwards's Contract 462
6. Letters from General Sam Houston to President Jackson and the Indian Commissioners, in 1833 465
7. Memorial of the Texan Convention of April, 1833, to the General Congress of the United Mexican States 469

HISTORY OF TEXAS.

CHAPTER I.

The first European emigrants to Texas were led hither by Robert Cavalier, the Sieur de la Salle, who landed on the west side, and near the entrance, of Matagorda bay, on the 18th of February, 1685.[*] La Salle was a brave and gallant knight of Louis XIV. He was a native of Rouen, in Normandy. Born of a good family, and destined for the church, he received, under the guidance of the Jesuits, an excellent scientific education.[†] He was a man of great abilities, of an enterprising spirit, and possessed of a firmness of mind which peril and adversity seemed only to strengthen. He kept his own counsel, relied upon his own genius, and bore without a murmur whatever ills befell him. But, with all these good qualities, such was his ambition, that it rendered him morose and sullen—haughty, not only to his dependants, but his associates.[‡]

It is remarkable that the mouth of the Mississippi was not discovered until one hundred and ninety years after the discovery of America; and still more so, that this discovery should have been made through Canada. Ferdinand De Soto, coming from Florida, had seen it, and been buried in its waters about the year 1543. And in 1673, Marquette, a Recollect missionary, with six others, under the direction of M. Talon, the intendant-general of Canada, starting out from Mackinac, crossed over to the great river,[*] and floated down as far as the mouth of the Arkansas. But it was reserved to La Salle to discover its mouth, which he did on the 7th day of April, 1682, and, on the 9th, celebrated the discovery with great ceremony, taking possession, in the name of Louis XIV., by proclamation and *proces verbal*, of all the territory watered by the Mississippi from its mouth to its source, and by the streams flowing into it on both sides.[†]

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[*] *American State Papers*, vol. xii., p. 87: Wait, Boston, 1819. *Life of La Salle, American Biography*, vol. xi., p. 129.

[†] Ibid., p. 5.

[‡] *Travels of Captain Bossu*, vol. i., p. 85: London, 1771.

The report of this splendid discovery, which was made known in Europe, by La Salle and his followers, on their return to France, created great excitement, not only at court, but among the learned. The idea of a nearer route to Asia had occupied the minds of commercial and learned men since the time of Columbus. When the trappers and fur-traders of Canada first learned, from the Indians, the existence of this great river, the impression prevailed that it emptied into the Vermilion sea, the name then given to the gulf of California.

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[*] *Meshassepi*, in the language of the Illinois Indians, signifies *all the rivers.*

[†] See a translation of the *proces verbal* in Appendix iv. to Sparks's *Life of La Salle.* There has been much controversy as to the discovery of the mouth of the Mississippi. If discovered by Moscoso as early as 1545, it is exceedingly strange that for one hundred and thirty years afterward the important fact was unknown in the learned court of France, and that the *savans* of that capital still supposed that river emptied into the gulf of California. The curious can find much said on the subject in Dr. Monette's *Valley of the Mississippi*, vol. i., p. 620; Professor Shea's *Discovery and Exploration of the Mississippi;* Bossu, vol. i., p. 70; Pickett's *History of Alabama*, vol. i., pp. 51, 52; and *Am. Biog.*, vol. x., p. 268 *et seq.* Also the character of *Garcilasso de la Vega*, the writer, on whom the advocates of an earlier discovery rely, can be found in the *Biographie Universelle, in loc.*

La Salle had many enemies: some caused by his harsh and overbearing temper; others, through envy of his fame; and yet others, on account of the monopoly in trade granted him by the king. Yet he had two friends at court—Frontenac, the former governor of Canada, and Seignelay, son of the great Colbert—who aided him greatly in presenting the importance of his discovery, in removing the unfavorable impressions made by his enemies, and, above all, in opening the way and providing the means for further adventures, and the permanent occupancy of the newly-discovered territory. La Salle proposed to proceed to the mouth of the Mississippi by sea; and, being provided with provisions, implements of husbandry, mechanics' tools, and colonists, to found a colony there. All this was granted, and in a manner suitable to the importance of the enterprise, and the dignity and munificence of the great Louis. A commission was issued to him, giving him authority to establish colonies in Louisiana, and to take command of the expedition.*

A squadron of four vessels was provided and furnished by the king: that is, the *Joli*, a frigate of thirty-six guns; the *Belle*, of six guns, a present from the king to La Salle; the

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* The historians of this expedition are, *Joutel*, whose journal was published in Paris in 1713; and *Father Anastase*, whose account is published by Chretien Le Clerk, in his history of the labors of the Franciscan missionaries in Canada, entitled "*Etablissement de la Foy:*" Paris, 1691. Dr. Sparks, in his life of La Salle, has collated and weighed the facts, as given by these authors, in a manner so excellent and accurate, that he has left but little to be added. Besides, he has thrown new light upon the subject by the publication of original documents in the archives of the marine department at Paris.—*Sparks's Am. Biog.*, vol. xi. The accounts, as given by Charlevoix, in the *Histoire Générale de la Nouvelle France*, and by Captain Bossu, in his travels through Louisiana, are taken from Joutel. The facts stated in this chapter are mostly taken from Dr. Sparks, Le Clerk's *Etablissement de la Foy*, and the narrative of Father Anastase Douay. The latter has lately been presented in an English dress by Professor Shea. The journal of Joutel is published in the first volume of the Historical Collections of Louisiana.

Aimable, a ship of some three hundred tons' burden; and a small vessel, the *St. Francis*, carrying munitions. Beaujeu, who commanded the Joli, was also commander of the squadron, but was to be under the direction of La Salle, except in the business of navigating the ships at sea, till they arrived in America: Beaujeu was also to assist him in making preparations for the voyage. The whole number of persons who embarked in the expedition was more than three hundred, of whom one hundred were soldiers, thirty volunteers, and the rest workmen, girls, and seamen. The missionary force consisted of seven persons, viz.: four Recollect fathers, Zenobe Membrè, Anastase Douay, Maxime Leclercq, and Denis Marquet; three priests of St. Sulpitius, Cavalier, brother of La Salle, Chedeville his relation, and Majulte. Among the volunteers were several gentlemen of distinction, among whom may be mentioned Joutel, the historian of the expedition; Moragnet and young Cavalier, nephews of La Salle; Planterose, Thibault, and Ory, from Rouen, the native town of La Salle; also M. Talon, a gentleman of Canada, with his family.*

On the 24th of July, 1684, the squadron set sail from Rochelle. La Salle was on board of Beaujeu's ship, the Joli. An utter want of confidence existed between those two persons. This was caused to some extent by the anomalous position they occupied, the authority of each not having been defined by the marine department; but still more by the pride of Beaujeu and the obstinacy of La Salle. The former had been a captain for thirteen years in the French navy, and took to himself great credit for consenting to obey the orders of the Sieur de la Salle, who had never served in war, except against savages, and who had no military rank.† And when Beaujeu would propose to him anything, he would haughtily reply, "This is not the king's intention."* Previous to the departure of the squadron, Beaujeu wrote again to the minister, reminding him how disagreeable it was for him to be under the orders of a man who had no military rank, and asking positive orders on the point; stating that he wished the orders to be of such a character, that no blame should attach to him should La Salle fail in his project. He wished also to know what was to be done with the soldiers, as La Salle had already set up a claim to their command so soon as they should land in America. The minister did not enlighten him with any further instructions—nor did La Salle with any intimation of his intentions. It was in this awkward relation that the two chiefs left Rochelle. They had not gone more than fifty leagues to sea when the bowsprit of the Joli was broken, and they returned for repairs. They put out again on the 1st of August. Descrying the island of Madeira, Beaujeu proposed to anchor, and take in water and refreshments; but La Salle refused, alleging that they had on board plentiful supplies, that it would produce unnecessary delay, and expose the design of their expedition to the risk of being discovered by the Spaniards.

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* Bossu, i., 71; Life of La Salle, 114.

† See his letter to the minister of the marine, as quoted by Dr. Sparks; May 30, 1684. Ib., p. 116.

Near the coast of St. Domingo, the vessels were separated by a storm; but, between the 28th of September and the 2d of October, they all came into port at Petit Gouave, except the St. Francis, which was taken by the Spaniards.† This was a severe loss, as the stores on this bark were important to the success of the enterprise. La Salle was for three weeks con fined at this port with fever. He, however, recovered; was visited by the governor and intendant of St. Domingo; and, after laying in the proper stores and suitable domestic animals, and consulting with pilots acquainted with the West India seas, he prepared to depart. La Salle transferred himself and some others from the Joli to the Aimable, and directed the latter, the heaviest sailer of the three, to go in front. This may have been the better to keep the squadron together, but more probably to get rid of Beaujeu. They sailed from Petit Gonave on the 25th of November, and, passing round the southern shore of Cuba, anchored and remained three days at the isle of Pines. At length, after being driven about by adverse winds, and spending some days at Cape St. Anthony, the squadron, on the 28th of December, 1684, discovered land. They had been sailing a northwest course, but, from the account they had received from the West India pilots of the strong gulf-stream which passed around the cape of Florida, they supposed they had been carried east of the mouth of the Mississippi, and were on the coast of Florida. Besides, La Salle, when he discovered the mouth of the Mississippi, had attempted to take its latitude, but had placed it two degrees too far south. So that, with these two errors, instead of being on the bay of Appalachie, Dr. Sparks thinks they were a hundred miles west of the mouth of the Mississippi, near the bay of Achafalaya.* Joutel says that, on the 2d of January, the squadron was, according to conjecture, pretty near the mouth of the Mississippi; and that, on the 10th, they passed by it, without perceiving it. It is at this time impossible and unimportant to know where they were when they first descried land. Conceiving themselves to be east of the mouth of the Mississippi, they coasted westward. La Salle landed on the 1st of January, 1685, perhaps east of the Sabine—but, making no discoveries, and being unable to learn anything from the Indians, proceeded westward till about the 17th of January, when, having passed Corpus Christi inlet, and finding the coast tending south, they discovered their error, and that they were upon the borders of Mexico. Here Joutel landed with a party in search of fresh water. They found the water salt, but secured an abundance of game. All being satisfied that they had passed the Mississippi, La Salle proposed to Beaujeu to return. This he refused, unless furnished with a new supply of provisions. La Salle offered him a supply for fifteen days, by which time he expected they would reach the mouth of the river. This the captain refused; and La Salle declined giving him more, fearing that he would abandon him, and sail to the West Indies. The difference between the chiefs of the expedition increased: but, in the meantime, the vessels fell back—but by whose order, or in what way, we are not informed—and sailed through Pass Cavallo into the bay of St. Bernard, since known as Matagorda bay. On the 18th of February, 1685, some of the company went ashore, while others were engaged in sailing up the bay and exploring the adjacent coast. On the 20th, La Salle sent orders to the commander of the Aimable* to land the heaviest goods, and run her into the bay. It seems that La Salle intended to be present at the execution of this order; but the marquis of Sablonniere and others, who had gone out on the 18th, had been taken by the Indians as they were strolling along the shore, and he found it necessary to go and retake them. The channels on either side of Pelican island had been sounded, and it was found that the vessels could enter. The Belle had already entered, and the pilot of this vessel was sent to guide the Aimable through the channel; but the commander of the latter refused his aid, saying he could manage his own ship. He hoisted sail, ran upon a shoal, and was lost.*

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* Bossu, i., 72.

† Life of La Salle, Am. Biog., xi., p. 120. On the 15th of August, 1684, the truce of Ratisbon, concluded by France with Spain and the German empire, terminated the war of the previous year.—*Elliot's American Diplomatic Code*, vol. i., p. 5. This was perhaps not known in the West Indies before the end of the year.

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* Life of La Salle, p. 128.

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* Bossu, vol. i., p. 74.

In the meantime a temporary camp had been formed on the west side, and near the entrance of the bay. Another camp, a considerable distance higher up, on the same side of the bay—perhaps at Indian point—was formed by Captain Hurier and part of the company, by the order of La Salle.

The colony was greatly refreshed by an abundance of game and fish; and, charmed with the country, and the herds of buffalo and deer that were seen grazing on the prairies, they began to think they would soon realize the paradise they had come so far to find. La Salle had not yet lost hope that he was on one of the mouths of the Mississippi; and, though the loss of the Aimable, containing the greater portion of the articles provided for the use of the colony, was a serious misfortune, his ardor was the same, his resolution unconquerable. Joutel and Moragnet were sent out at the head of an exploring party, to proceed up the west side of the bay. La Salle, having reclaimed the men taken by the Indians, had exchanged with them some hatchets for two canoes, with which he explored the eastern shore of the bay. The party of Joutel, after a three days' march, came to a river, probably the Aransas, which they were unable to cross without a boat. Being in full view of La Salle, then on the opposite shore, he went over to them. Having satisfied himself as to the extent of the bay, La Salle and the party returned.

The business of saving as much as possible of the wreck of the Aimable occupied some time. La Salle procured from Beaujeu the boats of the Joli, and, after taking off the crew, he brought away the powder and flour, then the wine and brandy, in all some sixty barrels. Joutel is so cruel as to charge St. Aigron, the captain of the Aimable, with sinking his boat on purpose; but this can not be believed. Some blankets from the wreck having been driven ashore, they were picked up and appropriated by the Indians. La Salle, wishing to obtain canoes in exchange for these goods, sent Lieutenant Du Hamel of the Joli, who had volunteered for that purpose, to negotiate the affair. But Du Hamel, unacquainted with the Indian character, or the mode of gaining their good will, rushed into their village with his armed men, which so frightened them, that they could not regard them as friends. Being unable to make himself understood, he seized two of their canoes and a parcel of skins, and returned. The Indians, in revenge for this act of hostility, pursued them, and overtook them where they had landed and gone to sleep, and poured into their camp a shower of arrows, which killed Ory and Desloges, two particular friends of La Salle, and wounded two others, one of whom was his nephew.*

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* It is hardly credible that this was done on purpose. Some allowance must be made for Joutel's situation and prejudices.

The failure to find the mouth of the Mississippi; the loss of the Aimable, and the greater part of the stores with which she was freighted; and the death of Ory and Desloges—the first European blood shed in Texas—all combined to dishearten the colonists. In addition to this, the few provisions saved were nearly consumed; which, notwithstanding the prairies abounded with buffalo and deer, and the waters with wild-fowls and fishes, alarmed the faint-hearted, and caused murmuring and discontent. And, to add to the loneliness of their situation, and cut them off from the civilized world, Beaujeu sailed on the 12th of March for France, taking with him the captain and crew of the Aimable. When he left, he carried away all the cannon-balls, thus leaving La Salle with eight cannons, and not a single ball.* Yet it seems La Salle must have furnished him with provisions, or he could not have returned.

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* Bossu, vol. i., p. 76. Life of La Salle, p. 134.

La Salle had among his colonists many enemies: some the partisans of Beaujeu; some from disgust, and want of fortitude to bear up under misfortune; others, again, who attributed to his obstinacy the bad state of their affairs. In fact, his colonists had been selected from the dregs of France; and, with the exception of a few who had volunteered to follow him, were persons generally destitute of character, honesty, or enterprise. Among them were Doinmaville and Mignet, two engineers, who became seditious, and were unceasingly denouncing his conduct, and charging his undertakings with folly and rashness. Yet La Salle was firm. His resolution seemed to rise with his misfortunes.

The colonists had constructed a shelter for themselves and their goods out of the wreck of the Aimable, and had surrounded it with entrenchments to protect them from the Indians; and had sown grain in the adjacent lands. The cattle, swine, and fowls, they had brought from St. Domingo, multiplied and prospered.

When their buildings had commenced, La Salle gave orders to Joutel to complete them; and, taking with him about sixty of his men, he went on a tour of discovery. He still labored under the delusion that the bay might be one of the mouths of the Mississippi. While he coasted round the west end of the bay, the commander of the Belle was ordered to sound it, and sail up it so as to keep in communication with him. He passed the Aransas, and at length came to a river which he named *Les Vaches*, on account of the number of buffaloes found there. This, of all the names given by La Salle to the streams, bays, &c., of Texas, is, perhaps, the only one retained by the Spaniards. Sailing up the Lavaca for some six miles, he found on the western bank of the river a beautiful spot for a settlement. It was an elevation, from which could be seen to the north and west extensive undulating prairies, covered with grass, and relieved by occasional clusters of timber; to the south and east were spread out the bay, and timber along the coast and banks of the river. Having selected this point, he began in good earnest to think of making a settlement, and fortifying it. Accordingly, he sent Villeperdry back in a canoe, with orders that all the colonists, except thirty men who were to remain in the fort with Joutel, should join him. This detachment was left to guard the crop which the colonists had planted.

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* These pieces of artillery were afterward transported to La Bahia (now Goliad), and used by the Spaniards till 1812, when they were taken by the Americans under Guttierez. By them they were used successfully against Salcedo. After the close of the Guachupin war, they fell again into the hands of the Mexicans. They were taken from the latter by Collinsworth; retaken by Urrea in 1836; and when Texas succeeded at the battle of San Jacinto, they were left at Goliad, where as late as 1838 they were seen, with the impression of Louis XIV. upon them.—*Prairiedom*, p. 140.

Doubtless the new point selected was more suitable in many respects, especially for health and fertility. Yet the colonists were compelled to bring their timber three miles. But the example of La Salle was encouraging. He was always the first to put his hand to work. The master-carpenter having been lost, he took his place. He laid out the tenons and mortices, and compelled every one to work that was able. The forces under Joutel being continually annoyed by the savages, who had killed some of the men, La Salle sent him an order to join him, with his command, on the Lavaca. The order was received on the 14th of July, 1686, and immediately obeyed. Sickness, arising no doubt from great fatigue and incessant labor in a warm climate, soon carried off about forty of the colonists. But, notwithstanding this fearful inroad upon their numbers, and the consequent gloom cast over the survivors, the work went on. A new shelter and entrenchment were to be erected. The gun-carriages were at first used by the men to haul the timbers; but the Lavaca being found deep enough for the Belle, twenty men were sent to the old fort to bring up in her the materials used in its construction. This was effected by forming them into a raft, and towing it up at the stern of the vessel. With this addition, the fort was soon completed, and named *St. Louis.*

We will here take leave of the colony for a short time, and inquire where they were, who were their neighbors, and who had claim to the soil on which they were established.

CHAPTER II.

At the time of the landing of the French colony, and for many years afterward, the territory now known as Texas was peopled only by Indians, and but sparsely by them. Indeed, it is more than probable that no European had previously been upon her soil.* The nearest Spanish settlement was at Panuco, near Tampico, a distance of more than two hundred leagues south of the Lavaca river.† On the northeast, Fort Prudhomme, at the mouth of the Wabash, and Fort Crevecœur, on the Illinois, had, but a year or two before, been constructed by the French. The Spanish colony in Florida, though formed some time before, was languishing. The city of Philadelphia had been founded but three years before, by the pious Penn. The colonies of New England, numbering then about a hundred thousand inhabitants, were struggling with Great Britain for their charters, and with the Indians for their lands. New York, with a population of some four thousand, had just changed owners, and witnessed the assembling, for the first time, of her legislature. Virginia, groaning under the despotic acts of Charles II., had just closed, with defeat, the rebellion of Nathaniel Bacon, which left her unable to pay the costs so incurred. The Spaniards claim to have settled Coahuila as early as the year 1600, but many circumstances go to prove this to be untrue.[*] Chihuahua was not settled till 1691.[†] New Mexico had been settled earlier. As early as 1594, two Franciscan friars from Mexico visited the Indians near where Santa Fé now stands. They were well received. They returned with the information, and giving a favorable account of the country, Juan de Oñate, another monk, was sent out in 1595, and made a further exploration, and perhaps took possession, or entered into a treaty with the Moqui and Apache Indians. It seems that a settlement was thereafter made, on the river, near the site of the present town of Santa Fé. In 1680, however, the Indians rose *en masse*, fell on the Spaniards by surprise, killed a large number of them, and obliged them to retreat to the Paso del Norte. In 1681, Otermin, governor of New Mexico, made another attempt to recover the settlement. From this period to 1695, the Spaniards and Indians were engaged in a constant warfare—the former keeping their stronghold of Paso del Norte, and the latter holding the country about Santa Fé. At length, during the last-mentioned year,

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* This point has been much controverted. Many distinguished writers have supposed that the followers of De Soto traversed the country in 1544, or about that time. The authorities they refer to are mostly Spanish. If such had been the fact, and these authorities reliable, it is quite remarkable that, in the long controversy between the United States and Spain, touching this very question, the proof was not forthcoming.—*American State Papers*, vol. xii.

† Panuco is situated on the Panuco or Tampico river, and is celebrated in the history of the conquest. It is still remarkable for the remains of buildings, weapons, and utensils, found in its vicinity. It is forty miles above *Tampico de las Tamaulipas*, which was founded in 1824. Small vessels can navigate the river as far as Panuco.—*Encyclopædia of Geography*, vol. iii, p. 329. *American State Papers*, vol. xii., p. 313.

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[*] Letter of De Onis to the secretary of state, Am. State Papers, vol. xii., p. 28. *Mem. of Don Miguel Ramon de Arispe* to the king of Spain: Cadiz, 1812. Arispe, who was representative from Coahuila to the Spanish Cortes, says Saltillo was founded in 1586. His ignorance on the subject is shown from his further statements, confounding the Rio Grande with the Medina (p. 4), and fixing the settlement of Texas at the year 1650 (p. 11).

[†] Pike's Expedition: Appendix, p. 20.

General Diego de Bargas, having conquered the Indians of New Mexico, obtained the entire pacification of the country.[*]

From the foregoing sketch of European settlements in North America, it will appear that La Salle's neighbors were few and distant. The Indians, from their mode of living, and the continual wars among their tribes, we may judge were thinly scattered over the vast country lying between the Rio Grande and Red river. The Camanches, then as now, were a tribe of roaming, predatory thieves. They occupied the northern and northwestern portion of Texas, and the Rio Grande as low as the mouth of the Salado. The depredations which they had formerly committed on the Aztecs of the great empire of Anahuac, were now turned upon their European conquerors occupying the colonies of Panuco, El Paso, Montclova, and Monterey. From these they supplied themselves with horses, arms, silver plate, &c.; and, being in treaty with other Indians along the coast, and farther east and north, the latter were thus furnished with horses and firearms.

The Indians along the coast, commencing on the south, were the Lipans and Carankawaes, extending from the Rio Grande along the banks of the *Pashahono* and the *Tockanhono*, the beautiful Indian names of the Colorado and Brasos.[†] They

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[*] Pike, Appendix, p. 15. *Recog. in New Mexico and Texas*, p. 126 *et seq.* The inscriptions on the rock of Fish spring, near the Pueblo de Zuni, in New Mexico, go back to the year 1606. In relation to Governor de Bargas, the inscription is as follows: "Here served General Don Diego de Bargas to conquer to Santa Fé, for the royal crown, New Mexico, by his own cost, in the year 1692."—*Ib.*, p. 64.

[†] Recog. in New Mexico and Texas, pp. 209–212. La Salle called the Colorado the *Maligne*, in consequence of one of his party being devoured in it by an alligator.—*Life of La Salle*, p. 146. The French who came with La Salle were so utterly unacquainted with the Indian languages, and their mode of spelling what they guessed to be the names of tribes so different from ours, that it is hard to identify them. Take, for example, the following:—

CARANKAWAES	*Kironomas.*
CAMANCHES	*Choumans, Cannensis.*

lived mostly upon fish; and, from the fact that they first encountered the rude shock of the white man, have ever been considered most hostile. Indeed, from the stories of Belisle and others, they have been deemed cannibals; but no authentic fact has been sufficiently established to fix upon these people the horrid practice. The kind reception by them given to La Salle, shows their good disposition. That they were thieves is not to be set down against them, as the rights of property are unknown among savages. The next tribe, going east, were the Cenis, inhabiting Buffalo bayou, the San Jacinto valley, and the Trinity river. These were distinguished for their hospitality and gentleness of disposition. The greater part of this tribe occupied the banks of the Trinity, which they called *Arcokisa.*[*] Here their villages were large and populous. Their habitations were like bee-hives, and some of them forty feet high.[†] As they devoted much time to raising corn, &c., they were enabled to sustain a larger population, and were comparatively more wealthy. They were great traders, and had procured (through their allies the Camanches) from the Spaniards horses, money, silver spoons, spurs, and clothing. Such were their comforts and conveniences of life when found there by the French in 1686.

CHOCTAWS	*Tchactas.*
CHICKASAWS	*Chicachats.*
CHEROKEES	*Chéraquis.*
CENIS	*A-Simais, A-Sinaes.*
VIDAIS	*Bedais.*

[*] Prairiedom, p. 75.

[†] Life of La Salle, p. 149. Narrative of Father Douay, Shea's translation. Exp. Mis., p. 204. "The village of the Cenis is one of the largest and most populous I have seen in America. It is at least twenty leagues long—not that it is constantly inhabited, but in hamlets of ten or twelve cabins, forming cantons, each with a different name. Their cabins are fine, forty or fifty feet high, of the shape of bee-hives. Trees are planted in the ground, and united above by the branches, which are covered with grass. The beds are ranged around the cabin, three or four feet from the ground. The fire is in the middle, each cabin holding two families."—*Douay.*

The next tribe east were the Nassonis, or Nassonites, a name perhaps including several tribes living between the Cenis and the Sabine river. These Indians seemed to be alike distinguished with their western neighbors for kindness to strangers, and the possession of means to make them comfortable.*

Such, a century and three quarters since, were the original inhabitants of Texas. They formed a portion of the great Shoshonie class, occupying what is now the southwestern part of the United States. The landing of the colony of La Salle was to them a new era. The sight of ships and the sound of firearms were to them subjects of awe and astonishment. Living in the simplicity of uneducated nature, they had their domestic wars, which were conducted without system, but in a manner suited to their wild habits. They were worshippers of the sun, and full of the superstitions common to the North American Indians. They had their rain-makers, their game-finders, and their witches. But the latter, like the witches of ancient New England, found little favor: they were deemed to be in communion with the evil one, and consequently were put to death—most generally by the war-clubs of those that suffered under their supposed incantations.

At that time, Texas was without a boundary and without a name. The Spaniards had not yet penetrated east of the Rio Grande, at least below the Paso del Norte; and La Salle was still endeavoring and hoping to establish the fact that he was in the vicinity of one of the mouths of the Mississippi. Texas to him and his people, and afterward his nation, was a part of Louisiana. He had discovered the mouth of the great river; the coast thence to the confines of Mexico; had planted a colony on one of her rivers; had stocked it with domestic animals, and planted fields with the seeds of husbandry. By all the rules, then, of national law, apart from the claim of the Indians, the country was French, and, if they chose to call it so, a part of Louisiana. The country was French by right of discovery. To Spain it was utterly unknown. The voyagers Ponce de Leon, Narvaez, De Ayllon, and De Soto, had never seen any of the vast extent of seacoast between Cape Florida and Soto de la Marina. The pretension and claim set up by Spain to this country, because she was in possession of these extreme points, are not supported by any of the rules of national law established by the governments of Europe in regard to their American discoveries. These rules were—

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* The seat of government among the Nassonites appears to have been on the east bank of the Neches, at the prairie known as the *Bradshaw place.* Here three large mounds remain as evidence of their former labors. This place was called *Texas*, and doubtless gave name to the state.

1. That when any European nation takes possession of any extent of seacoast, that possession is understood as extending into the interior country to the sources of the rivers emptying within that coast, to all their branches, and the country they cover, and to give it a right in exclusion of all other nations to the same.

2. That whenever one European nation makes a discovery, and takes possession of any portion of this continent, and another afterward does the same at some distance from it, where the boundary between them is not determined by the principle above mentioned, that the middle distance becomes such, of course.

3. That whenever any European nation has thus acquired a right to any portion of territory on this continent, that right can never be diminished or affected by any other power, by virtue of purchases made, by grants, or conquests of the natives, within the limits thereof.*

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* Letter of the secretary of state to Don Luis de Onis, March 12, 1818. Also, letter of Messrs. Pinkney and Monroe to the Spanish minister of foreign affairs, April 20, 1805.—*American State Papers*, vol. xii., pp. 76, 311, 312.

The French colony, tested by these indisputable rules of natural equity, were thus upon French soil.

Spain, however, entertained a different view of the matter. This kingdom, formed under the auspices of Ferdinand and Isabella, with the powerful aid of Cardinal Ximenes, had grown to be one of the first nations of Europe. The discovery of America, the receipts from the mines, and the commerce of the colonies (amounting annually to over fifty millions of dollars), and, above all, the victories of Charles V., had imparted to the nation a spirit of ambition and love of dominion which knew no bounds. The sixteenth century closed with the gloomy and superstitious tyranny of Philip II., which had lasted for forty-two years. During his reign the greatness of Spain began to decline. He left his country bankrupt, and a prey to dissensions foreign and domestic. But her ambition was in nowise lessened.* Pope Alexander VI., in 1494, had settled the dispute between the kings of Portugal and Castile concerning their claims in America, dividing their conquests by a line running from pole to pole, three hundred and seventy miles west of the Azores; and, by his bull, confirmed to Spain the country west of that meridian.† In pursuance of this claim, and the voyages of De Leon in 1512, De Ayllon in 1525, De Narvaez in 1527, and De Soto in 1538—although they had sailed only from Cape Florida to Cape Catorce, or perhaps as high up as the Soto de la Marina—Philip II. of Spain issued a royal order prohibiting all foreigners from entering the gulf of Mexico, or any of the territories lying around it, under pain of extermination! And this order was repeated to the Spanish colonial viceroys and governors, requiring its strict observance and execution.‡

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* Encyclopædia Americana, articles Spain, Philip II.

† Ib., article Alexander VI. American State Papers, vol. xii., p. 79.

‡ Luis de Onis to the secretary of state.—*Ib.*, pp. 27, 31. Mr. Adams, in reply

Here, then, in the settlement by La Salle, under the orders of his sovereign, and the monstrous pretensions of Spain, is laid the foundation of a controversy, which, being transferred from one party to another, is finally and for ever closed by the *treaty* of Guadalupe Hidalgo, made between the United States and Mexico, on the 2d of February, 1848.

These facts, together with the jealousy and constant watchfulness of the Spanish rulers in Mexico, will serve as a key to many of the events narrated in this history. We will now return to the colonists on the Lavaca.

to this letter of De Onis, says (p. 78): "Far more honorable would it be, sir, to the character of your nation and the credit of your government, to bury in the profoundest oblivion the memory of that atrocious order, than at this day [1818] to produce it, for the purpose of bolstering up a title for which you have in vain ransacked the records of the Spanish monarchy to discover a better support."

CHAPTER III.

After the necessary steps had been taken to secure the colony from the Indians, Joutel was left in command of the fort, and La Salle, with a company of twenty men, set out, about the last of October, 1685, on an expedition to explore the country. The Belle was ordered to the upper end of the bay, where she was stationed, and directed so to remain till further orders. La Salle, dividing his company, some of them went down the Lavaca in canoes, and he with the others crossed over and descended to the head of the bay on the east side. Here he sent out five men in canoes to sound the bay, and ascertain how far the Belle could be brought up. Night coming on without their return, he went in search of them, and found on the shore, where they had encamped, their mangled bodies—the Indians having murdered them, perhaps while asleep. Giving his orders to the Belle, La Salle caused the canoes to be sunk in a small creek; and each of the company having supplied his knapsack with provisions, they set out on their journey. They travelled east as far as the Colorado. During this expedition, which lasted till nearly spring, La Salle doubtless explored the valley of the Colorado, and perhaps much of the surrounding country. At any rate, he must have satisfied himself that he was far from the Mississippi.

On his return, La Salle sent some of his men down to the bay to search for the Belle, while with the others he returned to the fort, where they were joyfully received.* The next day, the party who had gone in search of the Belle, returned without having found any trace of the vessel; nor had she been heard from by any of those at the fort.

In this condition of his affairs, destitute of means for sustaining the colony, cut off from all communication with the civilized world, having under his command a number of persons that were sowing the seeds of rebellion against his authority and perhaps his life, and surrounded by a treacherous and savage foe, La Salle determined upon the bold expedient of opening a communication with De Tonti in Illinois. This required a tedious and perilous journey of some two thousand miles over an unexplored waste, peopled by those who had never seen the face of a white man.

Having resolved upon the journey, La Salle left the fort under the charge of his faithful Joutel, and selected a company of twenty men to go with him. Among these were Father Anastase, Moragnet, his brother Cavalier, Bihorel, Le Clerk, Hurier, Nika the Canadian Indian, and Heins, a surgeon, and formerly a buccaneer.† Having made the necessary preparations, they performed their devotions in the chapel of the fort, and set out on their journey on the 22d of April, 1686. They travelled in a northeastern direction, and at the end of ten days reached the Colorado. Previous to this, however, they

* Life of La Salle, p. 141, *et seq.*

† From *boucaner*, to roast or broil flesh. This remarkable class of men, many of whom figured in the early history of Texas, first began to associate on the western coast of St. Domingo, in 1630, and lived upon wild cattle. They roasted their meat like the Indians: hence the name given them. From simple robberies, they extended their operations to piracies on the seas. For a hundred and fifty years they swept the West India waters of the Spanish galleons, and greatly annoyed the commerce of England and France. From these men originated the French settlements on the western half of St. Domingo.—*Raynal: History of the Indies.*

met with a party of Camanche Indians having horses and saddles. Those that were mounted wore boots and spurs. This was proof that these Texan Bedouins had held intercourse with the Spaniards of Mexico. In fact, at this early period the horse had been extensively introduced into Texas; and, as the Camanches often rode them down, they abandoned them to graze on the prairies, or to die. Hence, in a few years, the prairies abounded in *mustangs*.

At this season of the year the Texan streams are always swollen, so that La Salle and his party were greatly retarded in their journey. They were compelled to build rafts over branches which in other parts of the year are dry. They were hindered also by the necessity of killing and drying buffalo-meat for their sustenance. From the direction they travelled, they perhaps crossed the Colorado about Elliot's ferry. Here they changed their course more to the east, and, reaching the Brasos probably not far from Columbia, they found it full and running rapidly. La Salle, with part of his company, on a raft, were hurried down the stream until they were considered as lost. They were two days crossing this stream; and Father Anastase informs us that he carried his breviary in his cowl, to keep it dry. Having all crossed over safely, they found themselves in a swamp, covered with canes and vines. They were engaged two days in cutting their way out. After reaching the fine prairies and open woods, they found their condition more agreeable. They soon fell in with the Cenis Indians, who treated them with great hospitality; indeed, the white race were, at first, everywhere so treated by the Indians in Texas. This, the most numerous and civilized tribe of Texan Indians, owned a large extent of country: they occupied all the territory between the great prairie on the northwest and the gulf-coast, and from toward the Brasos to the Neches.

Their centre of empire was not far from Cold Spring, in Polk county. What has become of this tribe, once the proud ally of the Camanche, and the hospitable retainer of the gallant La Salle? Tradition says that, after the settlement of Louisiana by the French, the powerful tribes on the banks of the Mississippi, driven west by these intruders, took refuge in Texas. They first encountered the Nassonites: these retreated to the north, and gave them a place to dwell. But, as other tribes were driven out, they crowded on the latter. The fall of the Natchez, and the expulsion of the Alabamas and Choctaws, brought a further accession. Before this formidable host of new-comers the peaceful Cenis retired to the banks of the Trinity. Here they met, and on the left bank of this stream, some seventy-five years ago, a great battle was fought, in which the nation of the Cenis was utterly destroyed.

But, to return to La Salle. One of the Cenis gave him a horse to ride. He and his company were received and feasted by this tribe; and, after some trading, in which, among other things, we are informed that one horse was purchased for a hatchet, and Father Anastase was offered another for his cowl, the travellers pursued their journey.

They soon reached the country of the Nassonites. Here La Salle and his nephew were attacked with fever, by which they were detained two months. On his recovery, he found the stock of ammunition reduced so low, that he would proceed no farther. As the game they killed was their only means of support, it was necessary to return to the fort on the Lavaca for powder. They reached the fort on the 17th of October, much wearied, and with but eight men.

La Salle soon learned the history of what had transpired in his absence. The Indians had been troublesome, but had made no attack on the place. Duhaut had endeavored to stir up a mutiny, but the firmness of Joutel and the mild persuasions of Father Zenobe had prevented it. The survivors of the Belle had come in, and reported that the vessel had been stranded on the southern shore of the bay; that six of the men had been lost in a canoe while returning from the land in the night—some had died on board of disease, and others had perished on a raft—so that the remaining force was not sufficient to manage the ship, and thus she was lost. The survivors, saving themselves, with a few articles and provisions, and the clothes and papers of La Salle, landed from a raft on the strand, where they remained for three months. At length a canoe floated ashore, by means of which they were enabled to reach the fort. However, amid all this gloom, and the wasting away of the colonists, the Sieur Barbier and one of the maidens of the fort afforded them some pleasure by a wedding. This was the first European marriage on the soil of Texas.*

From this time to the 12th of January, 1687, La Salle was preparing to start again on his journey to the Illinois. He caused to be constructed a new storehouse, and made other provisions for the colony, which at this time consisted of about forty persons.

He selected for his companions in this, his last journey, twenty persons, among them Father Anastase, his two nephews Moragnet and Cavalier, his brother Cavalier the priest, Joutel, Duhaut, L'Archeveque de Marne, Heins, Lietot, Tessier, Saget his footman, and Nika the Indian hunter. These are all mentioned because of the part they took in the tragic scenes which shortly after occurred.

In the fort were left some twenty persons, under the command of the Sieur Barbier. On January 12th, having called them all together, and made known to them in an affectionate address the necessity of the journey, he set out. He took with him about five thousand dollars in coin and plate, and six thousand dollars' worth of goods.* They found less difficulty in this their second journey on the same route, from the fact of their past experience. Besides, they carried with them a portable boat of buffalo-skins, and were assisted in crossing the streams by the kind-hearted Indians. They also furnished them with more horses.

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* Life of La Salle, pp. 144, 145.

The party continued their journey till the 15th of March, when they came near to the spot where, on the previous tour, La Salle had buried some corn and beans. Previous to this, however, they had learned from the Cenis Indians of a Frenchman named Rutel, among that tribe, who had wandered from La Salle on the Mississippi in 1682, and had been living with these Indians ever since. Joutel went for him and brought him to the camp. He was delighted with the idea of again returning to Europe. From the route pursued, and the time they had been travelling, they must have been, at this time, on the Neches river.†

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* Bossu, vol. i., p. 84.

† Dr. Sparks thinks they were on the waters of the Brasos.—*Life of La Salle*, p. 158, *note*. Others suppose they were on the Trinity. But all the circumstances—the time, the direction, the fact of finding Rutel, and the burying of the corn and beans (done, perhaps, when La Salle had turned back on his previous journey)—go to show that the last days of this great discoverer were spent on the Neches. There is yet another reason for this belief. At that season of the year (March), the buffaloes were down in the timber, and the Indians also in pursuit of them. Hence, La Salle met more Indians on this second tour, and Nika had no difficulty in finding buffalo. This was not the case on the Brasos prairies. From time immemorial there was a great Indian trail about in the course travelled by La Salle, crossing the Trinity at the present town of Swartwout. From the boggy nature of the soil in the spring, it is not unlikely that the travellers pursued this trail. It passed through the centre of the Cenis nation, and by the *Indian village*, occupied by the Alabamas after the extinction of the Cenis. La Salle's camp was on the opposite side of the river from the place where the meat was killed. Had it been the Trinity or the Brasos, horses could not, at that season, have been sent over for the meat.

La Salle ordered Duhaut, Heins, Lietot, L'Archeveque, Tessier, Saget, and Nika, to go and bring away the corn and beans. They went to the place, but the provisions were spoiled. In the meantime, Nika had killed a supply of buffalo-meat, and Saget was sent to get horses to carry it into the camp. La Salle directed his nephew Moragnet and De Marne to return with horses in company with Saget for the meat—to send back one load for immediate use, and to remain with the balance till it was dried. It appears that for some time there had been no good feeling between Moragnet and Duhaut; at any rate, the former reproached the latter for having laid aside some pieces of the meat for himself and his company, and took them from him. Duhaut, having determined on revenge, brought Lietot, Heins, Tessier, and L'Archeveque, into the conspiracy. The next night, when Moragnet, Saget, and Nika, were asleep, Lietot with a hatchet knocked them on the head. The Indian and Saget died immediately. As Moragnet was not yet quite dead, the conspirators compelled De Marne to finish him. Having gone thus far, the murderers were uneasy. They feared the just vengeance of La Salle, and immediately deliberated on the necessity of taking his life. Chance gave them an opportunity. Two or three days had elapsed, and La Salle became anxious on account of the absence of the party. Perhaps they had been cut off by the savages, or had got lost, or had quarrelled. He inquired if there had been any ill feeling between his nephew and any of the party. Such, at length, were his forebodings of evil, that he went himself, with Father Anastase, and two of the natives for guides, in search of them, leaving the camp under the command of Joutel. At a distance of some six miles he found the bloody cravat of Saget, and saw buzzards flying about the locality. Concluding the party were near, he fired his gun. The conspirators, on the opposite side of the river, hearing the report, and supposing it was La Salle, crossed over. Duhaut and L'Archeveque, seeing La Salle advancing, stopped. Duhaut hid himself in the high grass, and cocked his gun. L'Archeveque advanced a little farther, when La Salle saw and recognised him. "Where is Moranguet?" asked La Salle. "He is lower down," replied L'Archeveque. At that instant, Duhaut fired and shot La Salle in the head. He fell. Anastase took him by the hand; he did not speak, but, pressing the hand of the holy father, expired.* Thus fell, on the 20th of March, 1687, the Sieur de la Salle, a man of genius, fortitude, and courage. "The most unhappy thing for the memory of this famous man," says Bossu, "is, that he has not been pitied by anybody, and that the bad success that has attended his undertakings has given him the appearance of an adventurer among those who only judge from appearances. He has further been reproached with never taking advice from anybody, and with having ruined his private affairs by his obstinacy."†

However this may be, his discoveries hastened the settlement of New Orleans, and of Texas, as we shall see.

Father Anastase expected to follow his leader; but he was soon quieted by Duhaut, who told him that what was then done was an act of despair, and that the death of Moragnet was in revenge for former insults. Anastase then dug the grave of his kind benefactor, and buried him with his own hands, and erected a cross over his grave. The party then returned to the camp.

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* Bossu, vol. i., p. 83. Life of La Salle, p. 157.

† "It is little to the credit of France or of Louisiana," says Bunner, "that neither of them have shown the smallest mark of respect to his memory. A bust, placed by order of Congress in the rotunda of the capitol, is the only memorial of a man whose enterprising genius and persevering resolution merit the highest honors."—*History of Louisiana*, p. 55. The same may be said of Texas. He made the first improvement on her soil, met first the rude shock of the Indian, built the first fort, brought to the country the first domestic cattle, wore himself out, and was buried within her borders.

Joutel was not present when they came in. L'Archeveque, his friend, ran to inform him of what had occurred, and to say to him that he would be put to death if he expressed any dissatisfaction. When he returned, Duhaut proposed that each should command by turns. He had, however, already taken possession of the goods, coin, and plate. Those of the party not concerned in the murders took no part in affairs, but remained quiet. In the meantime, the conspirators quarrelled among themselves: they could not agree as to the division of the spoils. From quarrelling they proceeded to blows. Heins shot Duhaut in the head, and killed him. Rutel then fired at Lietot, which, being followed by two shots from other parties, they despatched him. Thus, within a short time, these two assassins met with that punishment so sternly demanded by justice.

The Indians were astonished and scandalized with these murders. They looked upon these people, with some reason, as barbarians, whom the Great Spirit had devoted to self-destruction.

After the death of La Salle, Duhaut had determined to march back to the fort on the Lavaca, build a vessel, and return to the West Indies; and, before his own death, as above related, had actually returned as far as the Cenis Indians. Joutel, Anastase, and Cavalier, had formed a secret design to continue the journey to the Illinois. To lull the suspicions of Duhaut, they proposed to him to permit them to remain among the Cenis Indians. This he agreed to, but his death had changed the position of their affairs.

After the death of the chief murderer, Heins took command, and engaged with the Cenis to go with them to war. This he did, leaving the friends of La Salle in camp till his return. After many bloody battles, he returned, and consented that the party might proceed on their journey to the Illinois. Having furnished them with a supply of ammunition and three horses, the company, consisting of seven persons—viz., Joutel, Anastase, the two Cavaliers, Tessier, De Marne, and Barthelemy—departed, leaving Heins the buccaneer, arrayed in the scarlet uniform of La Salle, in undisputed command of the remnant of the party.

Joutel and his followers, procuring Indian guides, retraced their steps as far as their former journey. Thence, pursuing a northeast course, they crossed the Red river at the Caddo village, and thence to the mouth of the Arkansas, where they found some men, stationed by De Tonti, to greet their coming, and give them such aid as they might require. Resting a few days at this place, they returned to France, by way of the Illinois and Quebec. Of this company, De Marne was drowned in Red river, and Barthelemy remained at the mouth of the Arkansas; so that only five of the colony returned to their native land.

Heins, having the goods, treasure, and uniform of La Salle, and the advantage of firearms, doubtless held sway, for a time, on the banks of the Trinity. From his turbulent and restless spirit, and his love for human blood, we may infer that he involved the Cenis in many wars with their neighbors, destroyed their love of peace and agriculture, and laid the foundation for the ruin in which that great and powerful tribe was ultimately overwhelmed.

When the Indians near the fort heard of the death of La Salle, and the dispersion of his company, they attacked the fort, which they took, and put all the remaining colonists to death, except three sons and a daughter of M. Talon, and young Breman: these they retained as prisoners.* Thus ended the first attempt to colonize Texas.

Early in the spring of 1689, the chevalier de Tonti went at the head of a considerable force in search of the colony planted by his late friend. He probably penetrated the country as far as the Neches, but the desertion of his men compelled him to return without effecting his object.†

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* The fate of those left in the fort is not very clear. The account of De Barcia is altogether too artificial. It is most probable that, of the prisoners retained by the Indians, a part or all of them were afterward reclaimed by the missionaries, and employed as interpreters. See the extract from the *Chronological Essay* of De Barcia, in a note to Prof. Shea's translation of Douay's Narrative, p. 208.

† Life of La Salle, p. 171.

CHAPTER IV.

EARLY in 1686, the marquis of Laguna, then viceroy of Mexico,[*] was informed, through the prize taken by the Spaniards from La Salle in the West Indies, of the French expedition; but its destination was then unknown. It is probable that, in La Salle's first expedition into the interior of Texas, the Camanche Indians obtained a knowledge of his location, and communicated it to the Spaniards. At all events, the count of Monclova, who entered on the duties of the viceroyalty in November, 1686, had immediate information of the fact. A council of war was held, to deliberate upon the matter, and to determine how they could most effectually carry out the royal exterminating order of Philip II.[†] A military post and settlement was established at Monclova; and Captain Alonzo de Leon was appointed to the command, under the title of governor of Coaquila.

Captain De Leon was then despatched with a military force of one hundred men to scour the country and hunt out the French.[‡] The expedition left Monclova early in the spring of 1689, and arrived at Fort St. Louis, on the Lavaca, on the 22d of April. Two days after, he went down to the head of the bay, when he saw the wreck of the Belle. Learning from the Indians that some of the colonists were still wandering about over the country, he visited the Cenis nation.[*] He was received and treated by this people with the hospitality for which they were distinguished. He found here the notorious L'Archeveque and Grollet, and took them prisoners. They were sent to Mexico, thence to Spain, whence they were sent back to Mexico, and condemned to the mines.

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[*] Lorenzana's *Historia de Mejico*, p. 28.

[†] Ib., p. 29. De Onis to the secretary of state, January 5, 1818.—*American State Papers*, vol. xii., pp. 31, 298.

[‡] Cevallos to Messrs. Monroe and Pinkney.—*Ib.*, p. 298. The Spanish secretary is mistaken in saying that *Monclova* sent out this expedition; for the *count de Galve* entered the viceroyalty on the 17th of September, 1688.—*Historia de Mejico*, p. 29.

Having completed the business of his expedition, De Leon returned to his post, and reported the facts to the viceroy: he spoke in high terms of the good disposition of the Indians, and suggested the propriety of the establishment of missions and military posts over the country. This letter, dated on the 22d of May, was laid before the council of the viceroy; and, after deliberation, it was resolved to establish a mission at Fort St. Louis. Accordingly, in 1690, De Leon was sent again, with one hundred and ten men and some friars, and established at the fort the mission of San Francisco, so named in honor of St. Francis D'Assisi. The king of Spain, having information of these proceedings, issued his orders for the pacification and reduction of Texas, as he considered it of great importance to the security of his dominions in New Mexico.

In 1691, Don Domingo Teran was appointed governor of Coahuila and Texas, with a salary of twenty-five hundred dollars per annum, and proceeded with fifty soldiers and seven lay friars to establish missions and military posts. They took with them cattle, and seeds for planting; and effected settlements on the waters of Red river, on the Neches, and on the Guadalupe. But in a short time these infant colonies, as well as that at Fort St. Louis, began to decline. The Indians were hostile, the crops failed, and the cattle died; so that, in 1693, they were all abandoned. These facts were communicated to the king: he was informed of the great expense incurred, of the difficulty of controlling the Indians, and it was recommended that the settlement of the province be postponed to a time when circumstances should offer more hopes of success.[*]

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[*] De Onis calls them *Asimais*, and denies that De Leon found any of the French there; but the position he had taken in the discussion required, as he thought, this denial.

[†] Life of La Salle, pp. 175, 176. The account given by De Barcia, in his *Chronological Essay*, of the movement of Captain De Leon, is not reliable. See note to the Narrative of Father Douay, *Discovery and Exploration of the Valley of the Mississippi*, p. 208.

Concurrently with the mission of San Francisco, was established on the right bank of the Rio Grande, three miles from the river, the mission of San Juan Bautista. This mission became a Spanish post of observation; it was erected into a *presidio;* and, in after-times, when travel became frequent between Mexico and Texas, was on the great thoroughfare known as the "old San Antonio road."

Thus Texas was once more without European settlers. Its abandonment was approved by the superior government in March, 1694. The post at El Paso, as being on the route to the silver-mines of Santa Fé, was still occupied; so likewise was the mission at the *presidio*, probably because of its convenience for trade with the Indians.

The Rio Grande seems to have been discovered at three different points by the Spaniards; and, without knowing it to be the same stream, the discoverers gave it as many different names, which are used to this day. The discoverers of the river at Santa Fé, in the north of Mexico, called it the *Rio del Norte;* at the *presidio*, on account of its great width, they named it the *Rio Grande;* and at Reynoso, where the Indians were fierce and warlike (*Indios bravos*), it was denominated the *Rio Bravo.**

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[*] See Appendix No. 1. "Testimonio de un Parecer dado en los auttos fechos en virtud de Real cedula, en qe S. M. Manda se le informe sobre surttos abusos comettidos en la provincia de Texas en el tiempo que se expressa; y tambien de un parapho de ottro Parecer dado en los proprios auttos, uno y ottro del Senor Audittor Gral de la Guerra, Supp^{or}. Gov^{no}. Año de 1744."—*Bexar Archives, paraphs* 25, 26, MS. Señor Cevallos to Messrs. Monroe and Pinkney, April 13, 1805.

The Spaniards were, however, aroused from their supineness, by the vigor of the French of Louisiana. Louis XIV. had, by a charter, dated September 14, 1712, granted to Anthony Crozot the whole of Louisiana. The boundaries in the grant were indefinite, yet sufficiently well expressed to give Crozat a claim to the territory west as far as the Rio Grande. Crozat was a merchant. He had taken the grant on speculation, and wished to make the most of it. At his instance, Louis had appointed Lamothe Cadillac governor of Louisiana. Crozat had in view two great objects—one, the discovery of mines; the other, a profitable trade with the northeastern provinces of Mexico.† He accordingly so instructed the governor, requesting him to find an opening for his goods in Mexico, either with or without the consent of the Spanish authorities.

Accordingly, in 1714, Cadillac sent out Huchereau St. Denis, a young man of noble family and great enterprise, upon an expedition to Mexico. He was to proceed to Natchitoches, there to form an establishment to oppose the Spaniards, if they should be in that vicinity; thence he was to proceed in the direction of New Mexico, and ascertain the practicability of opening commercial relations. He proceeded to Natchitoches, and left there a few men to form a settlement. With twelve men and some friendly Indians he continued his journey, and in August, 1714, reached the mission of St. John the Baptist on the Rio Grande. They were received with hospitality by Villescas, the commandant of the post; and, making known the object of their long journey, were requested to wait till their business was communicated to Don Gaspardo Anaya, the governor of Coahuila, and an answer returned. The governor, for reply, sent a guard, who seized St. Denis and Jallot his friend and surgeon, and conveyed them to the capital of the province! Here they remained in prison till, by the order of the viceroy, they were conducted to Mexico, and there imprisoned. At the end of six months they were released, or, as some say, escaped, and after two years returned to Mobile, the then capital of Louisiana.* St. Denis having courted and married the daughter of the commandant of the mission of St. John, it is likely that he made arrangements for smuggling. The influence acquired by St. Denis over the Texan Indians was considerable; and when the Spaniards under Ramon, the uncle-in-law of St. Denis, established themselves at Adaes, the Indians were alike friendly with them. This all goes to sustain the assertion of Du Pratz, that the Spaniards were introduced there by St. Denis for illicit trade.

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* Testimonio de un Parecer, etc., parapho 9. Professor Shea (*History of the Discovery of the Mississippi River*, p. 18) says, "The *Rio Grande* is so called merely because some one mistook it for the great river of De Soto." The *Parecer*, above quoted, says: "Deestta provincia del Nuevo Mejico vaja el Rio nombrado *del Norte*, que veniendo derecho el sur corre immediatto à dicha capittal de Santa Fé, y al expressado Real Precidio del Passo. Despues tuerse al orientte, y cortte alguna partte de la Nueva Viscaya de donde recive el Rio de Conchos. Attraviesa luego por medio de la provincia de Coahuila passando tres leguas mas adelantte de su Precidio de San Juan Baupttistta, clamado por ello del *Rio Grande*. Tiene alli de ancho dicho Rio como un ttiro de vala de fucil, y mas de una vara de profundidad, laque en tiempo de avenidas suele suber esttado y medio. Conttinua siempre à orientte, y cruzando veintte leguas mas alla de la frontera de dicho Nuevo Reyno, y de su Precidio de Serralvo, desahua con nombre de *Rio Bravo*, par tierras de Yndios Genttiles desconocidas de los nuestros."

† Gayarre, History of Louisiana, pp. 110 125.

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* Mr. Gayarre has made an intererresting romance of these adventures of St. Denis.—*American State Papers*, vol. xii., pp. 36 299, 316. Du Pratz, *History of Louisiana*, vol. i., p. 12.

At all events, the vigorous movements of Crozat alarmed the duke of Linares,* then viceroy of Mexico, and steps were taken to occupy the country. Captain Don Domingo Ramon and a few soldiers and friars were sent to Texas to establish posts and missions. They came with St. Denis, who acted as guide. A new mission was established in place of that of St. Francisco, but lower down on the bay of San Bernard; and another among the Adaes, a small tribe of Indians on the Arroyo Honda, and part of the great Caddo nation. This mission, protected by a military post, was fifteen miles west of Natchitoches, the Honda, a small creek, running about midway between them. The mission of Dolores was established nearer the coast, and west of the Sabine, among the Orquisaco Indians. The fort and mission of San Antonio de Valero† was located on the right bank of the San Pedro, about three fourths of a mile from the present catholic church at San Antonio; but, as a security against the Indians, and for purposes of irrigation, it was afterward removed to the San Antonio river, a noble stream, which, only three or four miles above, breaks out, full grown, from the foot of the Guadalupe mountains.

Shortly after this period, a small mission was established among the Nacogdoches Indians. Its location, at that time, was below the present site of the handsome town of Nacogdoches, and near the junction of the Bañita and Nana. About the same time was located a mission among the Aes Indians, and not far from the present town of San Augustine.

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* *Historia de Mejico*, p. 33: "Por Agosto de sette sienttos cattorce llego al enunciado Precidio del Rio Grande en Coahuila Don *Louis* [Huchereau] de San Denis y Don Medar Jalot con ottros dos Franceses; y trahidos à Mejico de orden del excelentissimo Senor virrey duque de Linares exivio aqui San Denis pattente del governador de la Mobila con fecha de Septtembre del año de trece, paraque veniese con veintte y quattro hombres à Texas, y comprase alli bueyes, cavallos y ottros ganados para la colonia de la Luciana suponiendo se manttenien en Texas nuestras missiones. Declaro San Denis, que havian venido en una piraqua desde la Mobila hasta Nachittos, donde havian desembarcado, y que llegados à Texas, y no enconttrado alli à los Españoles se havian vueltto los soldados Franceses, quedandose solo quattro en los Texas, y que con los ottros tres havia pasado hastta dicho Precidio del Rio Grande. Expresso tambien que los Yndios Texas deceaban, volbiesen los missioneros Españoles." — *Testimonio de un Parecer, etc., parapho* 26, MS. There is a considerable difference in the French and Spanish accounts of this affair.

† Afterward removed to the east of the San Antonio, and called the *Alamo*.

Thus the year 1715 may be considered the year of missions in Texas. From this time may be dated its permanent occupancy by Spain. She had wrested it from France, the rightful discoverer and first possessor; yet, it must be admitted, she had acquired full possession. As the policy of Spain allowed no curious traveller to penetrate her territories, it is probable the French did not for some years know the extent of her trespasses; and, if they did, they had much to do in the wars then prevailing on the continent of Europe, and much in taking care of their other possessions.

Captain Don Ramon seems to have been the active laborer in the building up of these missions. He was a great favorite with the Indians; they adopted him as a son, and assisted him and his followers in their labors. The marquis de Aguago went to Texas, under the order of the viceroy, as governor-general of the New Philippines (the name by which Texas was then known), and of New Estremadura.*

While Captain Don Ramon was at the Adaes, he paid a friendly visit to the French at Natchitoches. He with his followers were received with great politeness by the commander, and treated with hospitality during their stay. This, occurring shortly after the return of St. Denis, would seem to confirm the assertion of Du Pratz, that the Spaniards had been introduced there by St. Denis, as previously observed, for purposes of smuggling.†

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* American State Papers, vol. xii., pp. 86, 299.

† Ib., p. 86; Bossu, vol. i., p. 542.

The first efforts at forming settlements were humble enough. The buildings were but temporary shelters, and rude cabins constructed by vertical pieces planted in the ground, with the spaces filled up with branches interlaced and thatched. Thus were first constructed the temporary chapel, hospital, and the dwellings for the priests and officers. In a climate so mild and congenial, no great necessity existed for further immediate arrangements. A new force had to be prepared and brought into requisition to do the drudgery of more substantial improvements. The soldiers and friars came not to perform mechanical labor, but to put in operation the missionary machine by which were to be wrought out of the wild Indian tribes laborers in abundance.

The Indians, unaccustomed to such scenes, looked on with pleasure and astonishment at these rude structures. Indeed, such was their good nature, and their desire to please the newcomers, that they, at first, voluntarily assisted in the work. Small presents, kind looks, and opening hopes, were to them a sufficient reward.

Thus matters stood for some time, the Spaniards being in the quiet possession of Texas, though it was not then known by that name. The name, in fact, is involved in obscurity. The story, first published by Don Luis de Onis in 1818*—that on the visit of Alonzo de Leon to the A-Simais (Cenis) Indians in 1689, they received him with the greatest kindness, and called him and his followers "*Texas*," which in their language signifies *friends*—is, no doubt, fanciful. The country was known for many years after this period as the "*New Philippines*," and was so described in official papers; and so late as 1744, in a report made to the Spanish government of the condition of this country, the writer says that the territory on the

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* American State Papers, vol. xii., p. 81.

Neches is called *Texas*.[*] La Harpe, in his letter to D'Alarconne, dated Nasonite (eastern Texas), July 8, 1719, calls it the province of *Las Tekas*;[†] and this is the first mention of the name in any works made public. It may have been the appellation of some petty tribe of Indians living in eastern Texas; or it may be of Spanish origin, and applied to the light structures of the Indians on the Neches.[‡]

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[*] Bexar Archives, MS., *parapho* 21: "Ciento settentta y dos leguas di dicho Presidio de San Antonio estta el paraje nombrado propriamentte *Texas*, Asinays, o Nechas." As this was on the San Antonio road, it must have been the Mound prairie, lately occupied by Mr. Bradshaw, that was known as *Texas*, and which gave name to the entire country.

[†] American State Papers, vol. xii., p. 107.

[‡] *Teja*, plural *Tejas*, in allusion to the covering of their tents or wigwams. I am indebted to Ch. Gayarre, Esq., for this suggestion.

CHAPTER V.

AMERICA, as a missionary field, was not, in its early settlement, a place to be desired. In some parts, where the precious metals abounded, and fortunes were readily made, the worldly-minded herald of the cross could find somewhat to tempt him; but, with this exception, it was a vast, unexplored region, but thinly peopled by a strange and degraded race, who were utterly ignorant, not only of the moral code of elevated society, but even of the rights of property. As Christianity and civilization must necessarily flourish together, the Indians had to be civilized as well as converted. They were to be taught to love God more than their hunting-grounds; to forgive their enemies, and not to scalp them. These teachings were to be the result of infinite patience, constant prayer, a living faith, an upright walk, and, as God works through instrumentalities, a previous mental cultivation. Who, then, was sufficient for these things? A new country had been occupied. Her vast prairies and woodlands, beautifully blended, lay smiling before the strangers. At that age, the missionary operations in America, with the exception of the English colonies, were carried on by the Jesuits, Dominicans, and Franciscans, the three principal orders of preachers of the Roman catholic church. These orders, though deriving authority alike from the papal see, were essentially different. The Jesuits were polished, cheerful, and courtly; the Dominicans, as preachers against heretics, were gloomy and fanatical. From the time of St. Dominic, they found dangerous rivals in the Franciscans, with whom they divided the honor of ruling church and state until 1640, when the shrewd and learned followers of De Loyola superseded them in directing the education and politics of the Old World.

The Franciscans are a religious order founded by St. Francis d'Assisi, in 1208, at Naples. The order was distinguished by absolute poverty and the renunciation of worldly pleasures. Its original object was the care of the spiritual interests of the people, so much neglected by the secular clergy of that age. The founder prohibited his followers from possessing any property, nor were they to make learning and the polite accomplishments their study. The rule of the order, sanctioned by the pope in 1210 and 1223, destined them to beg and to preach. Responsible to no one but the pope, they had many privileges, and their numbers were soon so increased, that they filled thousands of monasteries. The rules of poverty became relaxed, and their convents produced many learned men. The popes Nicholas IV., Alexander V., Sixtus IV. and V., and Clement XIV., were from this order.

The Franciscans became divided into different sects, yet had a common general. The Alcantarines, or those who followed the reforms introduced by Peter of Alcantara, flourished in Spain, and, with the conquerors of Mexico, many of them came over to America, and founded missions and convents.* Among others, the convents of Quaretaro and Zacatecas, established early in the seventeenth century, furnished the missionaries destined to introduce to the savages of Texas the knowledge of the true God.† These fathers observed strictly the rules laid down by their founder: they went with their feet entirely bare; a coarse woollen frock, with a cord round the waist, to which a rope with a knotted scourge was suspended, formed their common dress. Their monastic vows prohibited them from holding either real or personal property, and also from familiar intercourse with the other sex, and required an entire compliance with the rules of the order and the commands of the superior.*

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* Encyclopædia Americana: articles *Franciscans, Dominicans, Jesuits.*

† Letter of Bishop Odin, of April 6, 1853. M.

In Texas, in 1715, such men could well keep their vows of poverty and self-denial. But they had before them a work to be performed, which, without hope of future reward, and a strong faith in heaven, none could have the heart to undertake. As beggars, the Indians had nothing to give, and in this avocation far outstripped their ghostly instructors! As preachers, they had almost insuperable difficulties to meet and overcome. They had to learn the language of the natives; to domesticate and civilize them; to teach them the nature of property, its value, and the mode of acquiring it. But, what was most important, the Indian was necessitated to unlearn all that he had previously acquired. His wandering life must cease; he must henceforth have a home, and a place of worship. His *manitous*, as numerous as the objects around him, must all give place to the idea of one great *Manitou*—the Creator. His passions must be subdued; his habits, manners, and his entire nature, changed.† "Nothing is more difficult," says Father

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* Encyclopædia Americana, article *Monastic Vows*.

† The ingenious argument adopted by Father Mermet to convince an Indian of the existence of a God is worthy of repetition. The Indian was a *medicine-man*, and worshipped the buffalo, as his grand *manitou*. As the buffalo was not immortal, the Indian was insensibly led to admit that it was not the animal he worshipped, but the *spirit* of the buffalo, which was under the earth, and animated all buffaloes.

Mermet. Have not other animals—the bear, for instance—a *manitou* also?
Indian. Certainly.

Marest, "than the conversion of these Indians; it is a miracle of the Lord's mercy. It is necessary first to transform them into men, and afterward to labor to make them Christians."*

This work was undertaken in Texas by the patient followers of St. Francis. They had not the liberty of the Jesuits, in not being restrained by the formalities of a tedious recitation of prayers, but, under all circumstances, at oft-recurring times, were bound on their consciences to repeat them. It was an important object to keep the Indians together long enough to make an impression on their minds. But the Indian must be fed; his only means of support was by fishing, and the chase; he knew no other. To maintain him by agriculture, he must labor in the field; and this labor must be compulsory, for laziness is a leading feature in the character of an Indian. Upon such a basis, then, were laid down the rules for the government and instruction of the red man.

The establishments thus formed in Texas were known as *presidios*,† or *missions*. There was a mission at each *presidio*; but many missions were without soldiers, at least in any considerable numbers. Each *presidio* was entitled to a commandant, and the necessary officers for a command of two hundred and fifty men; though, from various circumstances, the number constantly varied, and was generally less. The troops were inferior, badly clothed, idle, and disorderly. The buildings were erected around a square, or *plaza de armas*, and con-

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Mermet. If this be so, then men ought also to have a *manitou* which animates them?

Indian. Nothing can be more certain.

Mermet. That is sufficient for me to convict you of having but little reason on your side; for if man be the master of all the animals—if he kills them, if he eats them—then it is necessary that the *Manitou* which animates the man should also be the Master of all the other *manitous*.—*Kip*, p. 202.

* Letter of Father Marest, November 9, 1712. Ib., p. 193.

† *Presidio*, a garrison of soldiers.

sisted of the church, dwellings for officers, friars, and soldiers, with storehouses, prisons, &c. The size of the square depended on the population, the strength of the force intended to be stationed there, and also upon the extent of the district dependent on the *presidio*. Huts were erected at a short distance from the principal edifices, for the converted Indians. The unmarried of either sex were placed in separate huts, and at night locked up by the friars, who carried the keys. They encouraged chastity among the Indians, and punished its violation by public or private whipping, as the offender was a male or a female.*

Forts were erected near the *presidios*, and sometimes the church was fortified. The civil and military authority was united in the commandant, which, in some matters, was subordinate and in others superior to the ecclesiastical power. The principal duty of the military was to repel the invasion of the wild Indians, and to suppress the rebellious spirit of the converts. The Indians were well fed, clothed, and cared for; their labors were not heavy; and, in these particulars, they could not complain. But they were compelled to perform certain religious ceremonies before they could understand anything of their meaning. Sundry rules were laid down for their every motion, a departure from which was severely punished. It was this tyranny over the minds and bodies of the Indians that enfeebled and wasted them. They were willing to forego the food and raiment of the missions, for the sublime scenery of the vast prairies, the liberty of roaming unmolested over them, and chasing the buffalo and the deer. Freedom, dear to all, is the idol of the Indian. He worships the liberty of nature.

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* Kennedy, vol. i., p. 224, *et seq.* Forbes, in his history of California, is too severe upon the Franciscans. Compared with the cruelty of the Spaniards and Dominicans in South America and Mexico proper, the discipline of the Franciscans was tolerable.

When restrained from his loved haunts, he pines, and sickens, and dies. Had the Franciscans, like the Jesuits on the lakes, gone with their flocks on their hunting-excursions, joined them in their feasts, and praised them for their skill in the chase, they would have met with greater success. But the Jesuits possessed a twofold advantage: they had the power of dispensing with tedious and uninteresting prayers and ceremonies; and they also enjoyed the aid of the cheerful, talkative, open-hearted French:* while the Franciscans, without such dispensing power, were likewise bound to co-operate with the gloomy, suspicious, and despotic Spaniards.

We are not informed respecting the daily round of spiritual and temporal duties performed by the converted Indians of the Franciscan missions, but presume they were not very different from those described by Father Marest as practised among the Illinois in 1712. "Early in the morning," says he, "we assemble the *catechumens* at the church, when they have prayers, they receive instruction, and chant some canticles. When they have retired, mass is said, at which all the Christians assist, the men placed on one side and the women on the other; then they have prayers, which are followed by giving them a homily, after which each goes to his labor. We then spend our time in visiting the sick, to give them the necessary remedies, to instruct them, and to console those who are laboring under any affliction. In the afternoon, the catechizing is held, at which all are present, Christians and *catechumens*, men and children, young and old, and where each, without distinction of rank or age, answers the questions put by the missionary. As these people have no books, and are naturally indolent, they would shortly forget the principles of religion, if the remembrance of them was not recalled by these almost continual instructions. Our visits to their wigwams occupy the rest of the day. In the evening, all assemble again at the church, to listen to the instructions which are given, to have prayers, and to sing some hymns. On Sundays and festivals they add to the ordinary exercises instructions which are given after the vespers. . . . . They generally end the day by private meetings, which they hold at their own residences, the men separately from the women; and there they recite the *chapelet* with alternate choirs, and chant the hymns, until the night is far advanced."*

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* Don Joseph de Gorraez, speaking of the intercourse of the French with the Indians in 1744, says: "Posehen en ttodas, muchos precidios, crecidos pueblos, numerosas naciones de Yndios con quienes facilmentto congenian rayandosse y pintandose como illos los rosttros hablando sus idiomas, asisttiendo à sus baylas casandose con los Yndios, y rescattando pieles por bujerias, cuchillos y armas de fuego aque son mui propensos los Yndios."—*Testimonio de un Parecer, &c., parapho* 13.

If to these duties we add the sacraments and confessions, we need not be surprised that the neophytes sometimes fled from the missions, and resumed the war-whoop and the chase. At the French missions among the Indians, the apostates were won back by persuasion. Not so among the Spaniards: the troops at hand pursued them, and, if taken, they were compelled to return—when, in addition to a severe whipping, they were obliged to do penance.

The Franciscan fathers made regular reports of the success of their missions to the superior, and the latter to the general of the order. On these reports depended to a great extent the favor shown the missionaries; hence they were excited to zeal in their efforts to make converts. Not content with the fruits of persuasion and kind treatment, they made forays upon the surrounding tribes. The soldiers performed this duty. The prisoners taken, especially the young, were trained alike in the mysteries of the Christian faith and of agriculture.† To effect their training, they were divided among the older and more deserving Indians of the mission, who held them in servitude until they were of an age suitable to marry. At the proper time this rite was faithfully performed, and thus there grew up a race of domestic Indians around the missions.

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* Kip, p. 204.

† Humboldt. Indians who did not know how to make the sign of the cross were called *Yndios bravos;* those in the missions were termed *Yndios reducidos.*

To add to the strength of the missions and the number of the converts, reliable Indians of these establishments were sent out among their wild brethren to bring them in. This was sometimes done by persuasion, and sometimes by deception and force. However, they were brought to the missions, and incorporated among the learners and workmen of the fold.

When we call to mind the fanaticism and ignorance of that age, and the important fact that the Indians who remained long in the missions became greatly attached to their spiritual guides and the form of their worship, we must admit that these pioneers of religion deserved some praise. Their toils and privations evinced their faith—their patience and humility should satisfy the world of their sincerity.

Until the present century, the catholics did more for the cause of missions than the protestants; and if, a century and a half ago, they committed fatal errors in their religious enterprises, it is no more than has since been done. The fate of the aboriginal races of the New World, and even of the Pacific islands, is peculiar. A well-defined instance of any tribe or nation that has been civilized, without a total or partial destruction of its people, can scarcely be produced. This may, to some extent, be attributed to the vices introduced by the friends of the missionaries.*

However objectionable we may consider the Franciscan mode of *reducing* the Indians, it is perhaps less so than the American plan of depriving them of their lands, and then hunting them down like wild beasts.

* Dr. Rushinburger, Voyage of the Peacock, 1832; Captain Wilkes's Journal; Robertson's History of America, book viii. Dr. Robertson says that, "after the

As much of the ill success of the missions resulted from the regulations of the Spanish government in regard to the Indians, it may be well that we should refer to them. These regulations for the government and instruction of the natives of Spanish America emanated from the "council of the Indies," and were sent out for observance as laws sanctioned by the king. They were based upon the conclusion of the council that all the people of the New World were marked out by the inferiority of their minds for servitude, whom it would be impossible to instruct or improve, except continually under the eye of a master. Yet, as experience suggested the modification of these regulations, they were so altered from time to time, until 1542, when, by a decree of Charles V., the Indians were restored to a nominal freedom. A tax, however, of one dollar each was levied upon all males between eighteen and fifty years of age, three fourths of which went into the royal treasury, and the other fourth was applied to the payment of the salaries of local officers and parish expenses. They were also subject to a certain vassalage, similar to the former tenure by service in England.* This vassalage consisted in the liability of the Indian

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lapse of two centuries, during which the Indians have been members of the church, so imperfect are their attainments in knowledge, that very few possess such a portion of spiritual discernment as to be deemed worthy of being admitted to the holy communion."—p. 365. But see his note, p. 181, ed. 1835, New York. The resident priest at the San José mission, in 1807, in a conversation with Captain Pike, said that "it appeared to him that the Indians could not exist under the shadow of the whites—as the nations who formed the San Antonio missions had been nurtured and taken all the care of that it was possible, and put on the same footing as the Spaniards; yet, notwithstanding, they had dwindled away, until the other two missions (*San Juan Capestrana* and *La Purisima Concepcion*) had become entirely depopulated, and the one where he resided had not then more than sufficient to perform his household labor. From this he had formed an idea that God never intended them to form one people, but that they should always remain distinct and separate."—*Pike's Expedition, Appendix*, p. 33.

* Robertson's History of America, pp. 115, 116, 357, 358. *Recop. de Leyes de las Indias*, lib. vi., tit. v.

to labor a certain number of days for his patron or the king in the fields or in the mines; and, although the time was limited in Mexico to six days in the year, yet such was the distance of this degraded people from the head of the government, such the disregard of the laws, and such the cupidity and inhumanity of the patrons and agents of the crown, that the term of service was generally evaded, and the Indians treated with great cruelty.* This labor was gratuitous; yet, in the meantime, the Indians became debtors to their patrons, and were compelled to continued service under pretence of payment: hence originated a species of servitude called *peonage*. The *peons* increased to such an extent, that the patrons made no objection to the abolition of the system of *encomiendas;* for labor was so cheap, that it cost little or nothing.

In addition to the capitation-tax levied from the Indians, they were subject to tithes, marriage-fees, and other payments, drawn from them by the church. Still further, the Indians paid large sums for the bull of *Cruzado*. This papal bull is published every two years, and grants to the purchaser an absolution for past offences, besides the privilege of eating certain prohibited articles of food during religious fasts. The eloquence and zeal of the monks were employed in the sale of these pardons, and, such was the credulity of the people of Mexico, that few failed to purchase. The price varied from ten dollars to twenty-five cents, according to the condition of the purchaser and the privileges granted.†

At the period of which we write, the clergy of New Spain were inferior to that class in Europe, in both morality and intelligence. With the exception of the Jesuits, and the higher functionaries of the church, the entire clergy of Mexico were not only destitute of the virtues necessary to their station, but were in every respect profligate. Some of them, disregarding their vows of poverty, turned merchants; others, forgetting their oaths of chastity, indulged in the grossest licentiousness. It was in vain that the civil authorities attempted to correct these abuses. The clergy held an ignorant and credulous people under their control, and charged the governors with hostility to religion. The church triumphed; and these corruptions continued to increase, until the inhabitants of Mexico ceased to venerate the monastic orders. It was then only that King Ferdinand VI. promulgated his decree prohibiting the regular or monastic clergy from taking charge of the parishes, but limited this right to the secular clergy.*

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* In New Spain, or Mexico, the number of Indians was so great, that only four in the hundred were required to labor at a time. This term of service was called *tanda*. —*Robertson's History of America: note*, p. 179.

† Letter of Joel R. Poinsett, American State Papers, vol. iv., p. 326, ed. 1834. Robertson's History of America, book viii., p. 384: note 195.

Pope Alexander VI., in 1501, granted to the crown of Spain all the newly-discovered countries in America, on condition that provision should be made for the religious instruction of the natives; and Pope Julius II., three years afterward, conferred on Ferdinand and his successors the right of patronage, and the disposal of all church benefices. These grants of the popes, made at an early day, constituted the king of Spain the head of the church, and gave him the absolute control of its vast revenues. This fact is referred to here, because of the influence it had, and still continues to have, in the revolutions of Mexico.†

Such were the rules and regulations for the government of the Indians, and such their condition, as also that of their spiritual instructors, in 1715. Of course, these regulations could not apply to wild Indians (*Yndios bravos*), but only to the converted Indians (*Yndios reducidos*). The three classes of the inferior or working clergy consisted of—curates, or parish-priests, in the Spanish settlements; teachers of Christian doctrine, having charge of those districts occupied by the converted Indians; and missionaries, whose duty it was to go to the countries of the wild Indians, and, by persuasion and other means, to bring them under the protection of the government, and impart to them a knowledge of their Creator. The church of New Spain, in other respects, was organized as that of the mother-country, having its archbishops, bishops, deans, &c.

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* MM. Frezier, Acosta, Gentil, and others, zealous catholics, admit and deplore these corruptions. The decree of Ferdinand is dated in 1757. — *Robertson's History of America*, book viii., p. 363.

† Solarzono, *Laws of the Indies*, vol. ii., p. 498, *et seq.*

The ceremonies, the solemnities, and the pomp of the Roman catholic worship, were fascinating. To the natives, who never reflect, or conceive an abstract idea, the sublime spiritual truths of the gospel could not be taught. Only through the senses, by means of striking emblems, could they learn a few simple truths.*

The missionaries, while engaged in converting the wild Indians, were not unmindful of their own comfort and that of the missions. The labor of the natives was employed in agriculture, in raising stock, and in erecting large and convenient edifices, by which means the fathers were not only enabled to live agreeably themselves, but could extend the hospitalities of the missions to travellers and friends.

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* Robertson's History of America, book iv., p. 150.

CHAPTER VI.

On the return of St. Denis to Mobile in 1716, another expedition was started to Mexico. Three Canadians, De Lery, Lafrèniere, and Beaulieu, had charge of it. They carried a considerable amount of merchandise. Before they reached Natchitoches, St. Denis overtook them. He had left his wife at the mission of St. John, on the Rio Grande, and wished to see her. After providing themselves with mules and horses, they set out on their march. On reaching the confines of the Cenis (A-Simais) nation, they rested a few days, and laid in a new supply of provisions. Again on their way, St. Denis left his company, and hurried on to rejoin his wife. He took with him a few travelling-companions and some goods. On reaching the mission, which had been raised to a *presidio*, his goods were seized by the Spanish authorities; and he set out for the city of Mexico, to see the viceroy, and have them restored. But the new viceroy, the marquis of Valero, who had entered upon his office on the 10th of August, 1716,* was not so favorably disposed toward St. Denis as the kind-hearted Linares had been. St. Denis was cast into prison, where he remained a month; but, at the intercession of his wife's relations, he was released, and ultimately had his goods sold and paid for. The money was paid to an agent, however, who ran off with it. St. Denis, in trying to get it restored, had used some harsh and threatening language; and referred to his influence with the Indian tribes in Texas, and how he would use it against the Spaniards settled there. This coming to the ears of the viceroy, he was again thrown into prison; but, through the assistance furnished by the friends of his wife, he made his escape, traversed the country to the *presidio* of St. John, took his wife with him, and at last safely reached the capital of Louisiana.*

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* *Historia de Mejico*, p. 34.

The remainder of his company, on reaching the *presidio*, and learning what had occurred to St. Denis, and that he had gone to the city of Mexico, were alarmed for their own merchandise. To secure it, they intrusted it to the care of the monks of St. John, and ultimately sold it on credit; but, in the meantime, hearing that St. Denis was imprisoned in Mexico, they did not wait for payment, but fled to Louisiana. Thus ended the second attempt of St. Denis to establish a trade with the Spaniards through Texas. If he was not successful, it was not for want of enterprise on his part, nor was it on account of the great virtue of the Spaniards. He did them one good service: he laid out the great thoroughfare through Texas, known as the *San Antonio road*, which, first travelled in 1714, has been, for a hundred and forty years, the great highway of travel for pleasure and business, for plunder and war.†

Crozat, having failed in his Louisiana speculations, surrendered his charter on the 13th of August, 1717; and, in the month following, the colony of Louisiana was transferred to the "Company of the Indies," controlled by the notorious John Law.‡

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* Gayarre, History of Louisiana, vol. i., pp. 191, 198, 242.

† It seems that Captain Alonzo De Leon first travelled and marked out the La Bahia road, from the latter point to the then Indian town of Texas at the Mound prairie, in 1690.

‡ Gayarre, History of Louisiana, vol. i., p. 198.

In December, 1718, war was declared by France, under the regent duke of Orleans, against Spain.* The news reached the French colony of Louisiana in the spring of the next year, when hostilities to a limited extent were carried on between the French and Spanish settlements in Texas. The French government had anticipated this, by sending out the previous year some recruits for the stations and settlements. One hundred and forty-eight had been apportioned to Natchitoches, which, before then, had but a small guard.

On the receipt of the news of the declaration of war, the French immediately proceeded with such force as they could raise at Natchitoches, under the command of La Harpe and St. Denis; and, driving before them the Spaniards at Adaes, Orquizaco, Aes, and Nacogdoches, pursued them to the post of Bexar. In the meantime, the marquis de Aguayo, governor-general of New Estremadura and the New Philippines, offered his services and purse to the viceroy to repel the French. He collected a mounted force of five hundred men, and set out on his march; but the French had retreated, and, when he arrived at Adaes, they were safely in their quarters at Natchitoches. De Aguayo brought with him the parties composing three of the missions that had retreated before the French, which he re-established—namely, Orquizaco, Adaes, and Aes—leaving a force at the garrison of Nuestra Senora del Pilar, seven leagues from Natchitoches, for their protection.† The marquis then returned to San Antonio, and Captain Don Ramon, his second in command, to the *presidio* of the Rio Grande. De Aguayo engaged in the improvement of San Antonio, and laid down plans for durable missions.

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* Elliot's Diplomatic Code, vol. i., p. 7.

† American State Papers, vol. xii., p. 300. *Testimonio de un Parecer, &c., parapho* 31.

In the meantime, the viceroy Valero appointed Don Martin d'Alarçonne, knight of the order of St. Jago, governor of Texas. He entered upon his duties in 1718. The missionaries complained to him, after the return of De Aguayo, that there were not sufficient troops, and that the government of Texas was in every way badly provided. Alarconne, with a view to mend matters, demanded one hundred and seventy-five additional soldiers, together with money and implements.[*]

It seems that it was during this war, and after the return of the French expedition to Bexar, that La Harpe was relieved by St. Denis from the command of the post of Natchitoches, and sent into the interior of Texas—not so much, perhaps, for the purpose of establishing commercial relations with the Spaniards, as the building up of new settlements, and stirring up the Indians against the Spaniards.[†] La Harpe took post among the Nassonites, and sent a polite message to D'Alarconne. He received a reply from the marquis, stating his willingness to be on good terms with the French of Louisiana, but expressing his surprise that La Harpe should be at the Nassonite village, as that territory depended upon New Mexico. La Harpe rejoined, urging the claims of the French to the territory by reason of previous discovery and possession.[‡] Nothing further

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[*] *Testimonio de un Parecer, parapho* 29.

[†] War was declared by France and England against Spain in December, 1718. On the 20th of January, 1720, the king of Spain accepted and signed the quadruple alliance which, in 1718, had been entered into between England, France, the emperor of Germany, and Holland, for the purpose of guarantying to the reigning families in England and France their thrones, and settling the partition of the Spanish monarchy. So Mr. Gayarre must be mistaken in placing the correspondence between D'Alarconne and La Harpe after the treaty of peace.—*Gayarre, History of Louisiana*, vol. i., p. 268.

[‡] The following is the correspondence between D'Alarconne and La Harpe:—

"Monsieur: I am very sensible of the politeness that M. de Bienville and yourself have had the goodness to show to me. The orders I have received from the king my master are, to maintain a good understanding with the French of Louisiana; my own inclinations lead me equally to afford them all the services was done by D'Alarconne in defending the Spanish claim; but his demand for more men, money, and implements, being refused, he resigned his office and retired.

The "Company of the Indies," having in charge the colony of Louisiana, sent out, in 1719, a thousand Europeans to people it. Among them was M. de Belisle, a gentleman of distinction. The winds and current carried the vessel on which he had embarked into the bay of Matagorda. A boat was sent ashore for water; and Belisle, with four of his companions, went in it, with the consent of the captain. As the boat had to return to the ship, these five officers went out hunting. The captain becoming impatient, and the hunters not returning, he weighed anchor and left them. Being thus abandoned, and

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that depend upon me. But I am compelled to say that your arrival at the Nassonite village surprises me much. Your governor could not be ignorant that the post you occupy belongs to my government, and that all the lands west of the Nassonites depend upon New Mexico. I counsel you to advise M. Bienville of this, or you will force me to oblige you to abandon lands that the French have no right to occupy. I have the honor to be, &c. "D'ALARCONNE."

"TRINITY RIVER, *May* 20, 1719."

Reply of the French Commander.

"MONSIEUR: The order from his catholic majesty to maintain a good understanding with the French of Louisiana, and the kind intentions you have yourself expressed toward them, accord but little with your proceedings. Permit me to inform you that M. de Bienville is perfectly informed of the limits of his government, and is very certain that the post of Nassonite depends not upon the dominions of his catholic majesty. He knows also that the province of Lastekas [Texas], of which you say you are governor, is a part of Louisiana. M. de la Salle took possession in 1685, in the name of his most Christian majesty; and since the above epoch, possession has been renewed from time to time. Respecting the post of Nassonite, I can not comprehend by what right you pretend that it forms a part of New Mexico. I beg leave to represent to you that Don Antonio de Minoir, who discovered New Mexico in 1683, never penetrated east of that province, or the Rio Bravo. It was the French who first made alliances with the savage tribes in this region; and it is natural to conclude that a river that flows into the Mississippi, and the lands it waters, belong to the king my master. If you will do me the pleasure to come into this quarter, I will convince you I hold a post I know how to defend. I have the honor to be, &c.

"DE LA HARPE."

"NASSONITE, *July* 8, 1719.

lost in an unknown country, they coasted along westward for several days, living upon herbs and insects. Belisle had brought a young dog from the vessel: this he gave up to his companions, to kill for food; they endeavored to do so, but were so weak, that the dog escaped from them, and disappeared. The four companions of Belisle died of starvation and despair, before his eyes; and for some days he continued to subsist on worms and insects, when at last his dog reappeared, with an opossum which he had killed. Shortly after, his dog was wounded by a wild beast, and he was compelled to kill him. Being thus left alone, he turned from the coast, and directed his course to the interior, in search of men. He found footsteps, and followed them to a river, on the opposite bank of which were some Indians engaged in drying meat. Belisle was so well assured they were cannibals, that he imagined they ate human flesh. They stripped him, and divided his clothes among them; they then took him to their village, and gave him to an old widow, who received him into her service, and treated him so kindly, that he gradually recovered his strength. He learned their language, became a warrior, and had greater privileges accorded him. After some time, a deputation from the Nassonites visited the tribe having him in charge, and, seeing him, observed in his hearing that there were men like him near their country. Without seeming to notice the conversation, Belisle inquired privately of one of the deputies as to these white people. He then made ink of soot, and wrote on his commission, which he had preserved, information of his condition, and procured one of the deputies to take it to the white people at Natchitoches, for which he would be well rewarded. The Indian, having performed his duty, delivered the paper to Captain St. Denis, who gave him many presents, and then began to cry, after the Indian manner, in their presence. They inquired what was the matter. St. Denis answered that he wept for his brother, who was a captive among the Indians. As St. Denis was a great friend to the Indians, and a favorite with them, ten of their number volunteered to go after Belisle, and return in two moons. They were furnished with horses, arms, and a horse and clothing for the prisoner. They reached the village, and discharged their guns, which overawed the other Indians; then delivering to Belisle a letter of assurance from St. Denis, he mounted his horse, and the whole party galloped away and reached Natchitoches in safety, whence Belisle went to the capital of the colony of Louisiana. He afterward became major of New Orleans, and major-general of the marine in Louisiana.*

The Spanish claim to the north and east was indefinite. Like Louis XIV., in his grant to Crozat, they were not only ignorant of the geography of the country, and of the possessions of others, but also of what they could successfully claim as their own. After the success of the Spaniards in re-establishing their missions and military posts in eastern Texas, they determined on driving the French from their settlements on the upper Mississippi. The expedition fitted out for this purpose, in 1720, consisted of an engineer-captain as commander and conductor, a Dominican friar as chaplain, soldiers, men and women, with horses and cattle necessary to form a settlement. The party lost their route, and fell in among the Missouri Indians (the fast friends of the French), mistaking them for the Osages. It was from the latter tribe that the Spaniards expected aid in attacking the French post on the Illinois. The

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* Bossu, vol. i., p. 332, *et seq.* Only so much of this narrative is here inserted as is believed to be true. Bossu was greatly attached to the marvellous, and a story never lost anything by passing through his hands. He says the tribe that held Belisle as prisoner was the Attakapas. But he is undoubtedly mistaken. It was most likely the Carankawaes; all the circumstances go to show this fact. He also represents them as cannibals. It is strange they did not eat Belisle!

Missouri chief soon discovered their mistake, but, concealing the matter, affected great friendship for the Spaniards, treated them with hospitality, and promised to march with them at the end of three days. He required this time, he said, to hold a council with his old men, and to assemble his warriors.

In the meantime, the Spanish commander distributed among the Missouris fifteen hundred muskets, with pistols, sabres, and hatchets. On the morning after, at break of day, the Indians, thus armed, fell upon the Spaniards, and butchered the whole of them, except the priest, whose singular dress did not seem to them to belong to a warrior. They called him a magpie, and amused themselves by making him ride a Spanish horse on public occasions.

Shortly afterward, to the astonishment of the French on the Illinois, the Missouris, with their chief at their head, marched into the fort, arrayed in the ornaments of the chapel and the garments of the slain! The chief wore on his naked skin the *chasuble*, and had the *paten* suspended from his neck for a breastplate; his head being crowned with feathers and a pair of horns![*] Thus ended this first and last attempt of Spain to extend her empire to the north.

The patriotic De Bienville, then governor of Louisiana, was not satisfied with the position of affairs in Texas. The Spaniards had occupied too much of the territory, consistent with the claims of France. The correspondence of La Harpe with D'Alarconne was approved by the French government, and the "Company of the Indies" were ordered to take possession of Matagorda bay.[†]

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[*] Bossu, vol. i., p. 150, *et seq.* This author, in giving us the above tragic account, takes occasion to remind those "officers, who, through a noble ambition, aspire to military commands, that both the theoretical and practical parts of geography ought absolutely to be understood by them."

[†] Gayarré, History of Louisiana, vol. i., p. 264.

In pursuance of this order, De Bienville, on the 10th of August, 1721, proceeded to send out a vessel with a suitable force to plant at the bay the arms of the king, and to build a fort. *Belisle*, having previously been a prisoner there, and acquainted with the Indian language, was appointed to the command of the twenty soldiers despatched, and La Harpe went out as commandant of the bay of St. Bernard. The order was obeyed, and a settlement formed; but, such was the hostility of the Indians, that the detachment did not long remain on the bay.*

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* American State Papers, vol. xii., p. 107. Gayarré. History of Louisiana, vol. i., p. 264.

CHAPTER VII.

The council of the Indies, being duly advised of the irruption of the French, their retreat, and the subsequent measures of De Aguayo to settle the country, induced the king of Spain to issue a royal order in May, 1721, directing the authorities in Texas not to commit further hostilities against the French, but forthwith to fortify all the important places, especially the bay of St. Bernard. Accordingly, a military post and mission were established at the crossing of the Neches; and another garrison, called *our Lady of Loreto*, was located on the bay of St. Bernard, at the place formerly occupied by La Salle. The mission of La Bahia, under the protection of this garrison, was established on the San Antonio, some thirty leagues distant.* The marquis added yet other improvements: three of the missions, that had been driven by the French to San Antonio, were located permanently on that river, which, added to the one already there, made five missions under the protection of the garrison at Bexar.

The marquis de Aguayo, before he returned to his official residence at Monclova, recommended the introduction of colonists, being well satisfied that the country could never be permanently occupied by missionaries and soldiers alone. St. Denis was still at Natchitoches, enjoying the unbounded confidence of the Indians, familiar with their language, furnishing them with arms, and disposed, at any favorable time, to light the torch of war. There were other considerations operating on the Spanish. The expenses of the garrisons alone were heavy, costing the royal treasury not less than sixty-three thousand dollars per annum; while the troops were not generally composed of Spaniards, but of the inferior classes of natives, having idle, disorderly, and turbulent habits. It was therefore better to introduce colonists, who would feel that Texas was their home, and have a lively interest in its improvement and defence, and a like interest in preserving peace with the Indian tribes.

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* *La Bahia*—the bay—from the fact that this mission was dependent on the garrison at the bay for protection. Indeed, the garrison itself was afterward removed to La Bahia.

De Aguayo departed for his home in May, 1722. He left in Texas (or, as it was then called, the New Philippines) four garrisons for its defence: that is, at the Adaes mission, one hundred men; at the Neches, or Mound prairie, twenty-five;* at the bay of St. Bernard, ninety; and at San Antonio, fifty-three, making in all two hundred and sixty-eight soldiers.

A brief notice of these troops may be appropriately given. Each soldier received four hundred dollars per annum, out of which he had to pay for his clothing and provisions. What he purchased was furnished by contract, at stipulated prices, and transported on mules from Mexico. These prices were necessarily high. The greater part of the soldiers spent the remainder of their pay in gaming; they then contracted debts, sold their horses and arms, and became servants to the officers—caring nothing for the dignity of their station, or the public service. They were always ready for a quarrel with the Indians, giving the missionaries more trouble than the savages themselves; and it was not without reason that the enterprising De Aguayo declared that, if colonists could be substituted for soldiers, the friars would be enabled to gain the affections of the Indians.

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* *Testimonio de un Parecer, &c., parapho* 32. In the original this garrison is called *Texas*. It was on the Neches river; but whether at the Mound, or at Fort Teran, at the lower crossing, is doubtful. To avoid the Camanche Indians, the travelled route at that time, from San Antonio to Los Adaes, was by La Bahia, and thence to the San Antonio road at Robbins's ferry; and sometimes by the lower crossing at Liberty on the Trinity, and Fort Teran on the Neches. From all the circumstances, it is believed that the old Indian town of *Texas* was at the Mound prairie.

No sooner, however, had De Aguayo departed, than a trade again sprang up between the French and the Spaniards. The friends and relatives of St. Denis favored it. He was still at Natchitoches; his popularity with the Indians was unbounded, and his ability to raise at any time, among the Texan tribes, many thousand warriors, operated powerfully upon the fears of the Spanish garrison at Adaes. This trade was greatly favored by the removal of the capital of Louisiana from Mobile to New Orleans. The introduction of horses, mules, and cattle, from the Spanish possessions into those of the French, in exchange for the goods of the Company of the Indies, was carried on with little or no interruption.*

The Spanish authorities were jealous, and bound by the orders of their government to prevent this trade and these intrusions of the French; but the captain-general of the province resided at Monclova, many leagues from the French frontier, and the local officers were not more virtuous in those days than at present. In 1726, however, a war broke out between Spain and England, in which France took part with Spain. This produced a friendly disposition on the frontier; and while Périer, governor of Louisiana, was giving indirect aid and comfort to Spain, in stirring up the Choctaws against the English, Captain St. Denis, at Natchitoches, was increasing the contraband trade with the people of Texas.[*]

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* Gayarré, History of Louisiana, vol. i., pp. 290, 424.

At this period, the Medina seemed to be well understood as the western limit of Texas; and, although it was called a separate province, it appears to have been under the control of the governor of Coahuila, or at least both provinces were under the jurisdiction of the same governor. De Aguayo was appointed by the viceroy, in 1719, as governor of both provinces; and so the appointments continued till 1727, when a governor was appointed for each province.[†]

In the spring of 1728, the Spanish government, impressed with the necessity of colonizing Texas, ordered that four hundred families should be sent thither from the Canary islands. They were to be transported in parties of ten or twelve families at a time—first to Havana, and thence to Vera Cruz, whence they were to proceed by land to Texas. The government was to support them for one year.[‡] The Canary islands, lying near the coast of Africa, had been conquered by Spain in the latter part of the fifteenth century, and the Guanches, its former occupants (a race closely connected with the Berbers of northern Africa), totally extirpated. Their places had been supplied by pure Spaniards, who were distinguished for regular habits, respect for females, and a rigid adherence to the catholic faith.[‖] With these advantages, it was believed that they would be good subjects, and supply the places of a licentious soldiery.

In the meantime, in anticipation of these imported citizens, and to relieve somewhat the royal treasury from the heavy expenses of the garrisons in Texas, a considerable reduction was made in the number of the forces stationed at the various forts. The post on the Neches was entirely suppressed; the force at the Adaes was reduced from one hundred men to sixty, at the bay of St. Bernard from ninety to forty, and at San Antonio from fifty-three to forty-three—thus leaving, as the entire force of the three garrisons, only one hundred and forty-three men.*

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[*] Elliot's Diplomatic Code, Vol. i., p. 7; Gayarré, History of Louisiana, vol. i., p. 388.

[†] *Testimonio de un Parecer, &c., paraphos* 30, 41.

[‡] Ib., *parapho* 38.

[‖] Leopold Von Buch.

When we consider that the different Indian tribes of Texas could at that period muster a force of ten thousand warriors; that the Spaniards were by no means their favorites; that the Camanches and Apaches, and other tribes in the interior, were naturally warlike; and that the troops in the garrisons took little pains to secure their friendship—we shall see at once the bad policy of this reduction of the forces. But they relied upon the friendship of the French, the good offices of St. Denis, and an early arrival of the new colonists. St. Denis, however, was otherwise engaged. The once-powerful tribe of the Natchez had been driven from the banks of the Mississippi, and was hanging in a threatening attitude around his position at Natchitoches. They had determined to attack him; and, to prevent the Spaniards from giving him aid, had the address to stir up the Apaches to assail the post of Bexar, and thus bring on a general war between the Indians and Europeans. The Apaches, originally of the same tribe with the Camanches, were possessed of like traits of character. They occupied the country between San Antonio and Santa Fé. Their principal villages, in 1730, were about the pass of Bandera, in the Guadalupe mountains, some fifty miles from the post of Bexar. From these strongholds they made their forays, not only upon the settlement at San Antonio, but extended their depredations across the Rio Grande.* They had excellent horses, and were good riders; they had also firearms (supplied them mostly by the French), and used them, as well as their bows, with great dexterity. They were inveterate thieves, and exceedingly treacherous, being ever ready to treat when the fight went ill, and as ready to break a treaty when they had a hope of the least advantage.

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* Royal order of April, 1729.—*Testimonio de un Parecer, &c., parapho 35.*

In 1730, the war broke out; but St. Denis conducted it very differently from the Spaniards. Rallying his small force in the garrison, together with the neighboring friendly Indians, he surprised the Natchez, killing many and dispersing the remainder. The Spaniards acted on the defensive only; while the Apaches came down in parties, and committed murders and thefts with impunity.

In the meantime, there arrived at Bexar thirteen families and two single men, conducted hither from the Canary islands by order of the king. Others came from the banks of Lake Teztuco: they were Tlascalans—sturdy republicans, whose ancestors the powerful Montezumas had not been able to conquer. Others, again, came from the new settlement of Monterey. These fresh colonists, uniting, laid the foundation of San Fernando, around the present plaza of the Constitution in San Antonio. This location answered admirably for irrigation.†

This great addition to the small European population of Bexar gave an impetus to the missions, which was seen in the fact that more Indians were captured, and brought in to be civilized; and, on the 5th of March, 1731, was laid the foundation of *La Purissima Concepcion de Acuña*, which for many years afterward was a refuge for the savage and the stranger.

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* Gayarre, History of Louisiana, vol. i., p. 424. *Testimonio de un Parecer, &c., parapho* 19.

† American State Papers, vol. xii., p 800. *Testimonio de un Parecer, &c., paraphos* 18, 33.

The new settlers, feeling themselves at home, and galled in person and property by the inroads of the Indians, made some incursions into their strongholds, but, at first, with no great success. In 1732, however, a more vigorous campaign was undertaken. The Spaniards met them in battle, and defeated them.* This victory gave peace and a temporary security to the colony, and substantial improvements were the result. Don Juan Antonio Bustillos y Cevallos, the governor, appeared to have at heart the welfare of the province, and, while he was prompt to chastise the Indians, he was equally zealous for their conversion.

In the first of the year 1734, Don Manuel de Sandoval was appointed governor of Texas. He was an old soldier, and had served the king for more than twenty years, rising from the rank of a cadet to that of captain of grenadiers. In 1727, he had been appointed governor of Coahuila, the duties of which office he discharged with satisfaction for seven years. This fact alone is a strong evidence of his popularity with the viceroy, as it was the policy of the superior government to change the governors of provinces at short intervals. His appointment to the gubernatorial office of Texas was one of the last official acts of the prudent, disinterested, and renowned Casa Fuerté, viceroy of Mexico.† The Apaches had again become troublesome; and the viceroy selected Sandoval, not only for his integrity, but with instructions to chastise the Indians.

Governor Sandoval immediately entered upon his duties; and, in pursuance of his instructions, made a campaign against the Apaches, and checked their depredations for some years. But, while he was engaged in his wars with the Indians, and in improving and consolidating the country under his charge,

* *Testimonio de un Parecer, &c., parapho* 19.

† *Historia de Mejico, page* 35; *Testimonio de un Parecer, &c., parapho* 41

he became involved in a quarrel, first with St. Denis, and then with his own government, which gave him much trouble.

Among other instructions from the superior government, Sandoval was directed to keep an eye on the French, and see that they committed no trespasses; and, if any should be committed, to give notice to the viceroy before engaging in hostilities. Since 1716, the French had a settlement on the right bank of Red river, among the Natchitoches Indians, and had formed there the mission of St. John the Baptist of Natchitoches. Their buildings were so situated, that, on a rise of the river, the water ran round them and formed an island. Making known this inconvenience, they were directed by the governor of Louisiana to remove their settlement some short distance from the river, on the same side. Accordingly, in the latter part of 1735, St. Denis, who was always active about everything to which he turned his attention, commenced the rapid removal of the fort from the island, locating it a few miles farther toward the Adaes, which was some eighteen miles distant. Sandoval was at this time at Bexar, but being informed by Don José Gonzalez, his lieutenant, in command at the Adaes, of what was transpiring, he wrote to the latter, communicating his instructions, and also to St. Denis. Sandoval had no documentary evidence of the boundary of Texas on that frontier—in fact, there was none: but he represented to St. Denis that Alonzo de Leon, Teran, and Captain Don Ramon, had preceded the French in that section of the country; that Red river had been considered as the boundary between the territories of the two governments; and, as his instructions required him to refer such matters to his government, he proposed to St. Denis to suspend further labor on the new location until they could hear from their respective sovereigns; but, should St. Denis refuse this request, he would be obliged to repel him.

St. Denis, in reply, referred to the discovery of Texas by La Salle in 1685; represented that the marquis de Aguayo established the post of Adaes only in 1721, at which time he found the French settled on the island of Red river, having without, on the side of Adaes, houses, enclosures, and other possessions; that since that time neither De Aguayo nor any of his successors had opposed these establishments; that when Don Ramon visited him, in 1718, he had shown him much kindness; that the Spaniards were indebted to him for the possession of the Adaes, and the foundation of its missions; that the French were acting in behalf of the Natchitoches Indians, who were the owners of the lands on both sides of Red river; that the boundary-line between the two settlements had never been laid down, and he thought it very strange that the Spaniards should claim the entire territory to the river; and, in short, that he was acting under superior orders, which he would not disobey, and, if attacked, he would defend himself, and protest against the consequences.*

This is the summary of a correspondence which extended to August, 1736; and, in the meantime, the French continued their buildings, having erected, besides the fort, a chapel and some fourteen other buildings, on the Texan side of the place. Shortly before the close of this correspondence, however, Colonel Don Carlos de Franquis was sent to Mexico from Spain, to fill the office of governor of Tlascala; but, on his arrival, he found the office filled. Casa Fuerté had died, and Vizarron, archbishop of Mexico, who knew nothing of the merit of Sandoval, was filling the office of viceroy. As Franquis had to be provided for, Vizarron appointed him governor of Texas. Franquis reached San Antonio in September, 1736. He very soon exhibited the proud and overbearing traits of his character. Disregarding the sacred functions of the missionaries, he acted toward them in the most insolent manner. He opened and read the letters that were sent out of the province; and, to complete his tyranny, caused Sandoval to be arrested and bound in fetters, deprived him of all his papers, and, to give some color to these wicked proceedings, ordered a criminal prosecution to be commenced against him. These transactions being made known to the viceroy, and Sandoval being falsely charged with conniving at the removal of the French garrison at Natchitoches, the governor of New Leon was despatched as a special commissioner to investigate the affair. That functionary arrived in Texas about the first of August, 1737; and, after taking a summary of the evidence and proceedings, he sent Franquis to the garrison of the *presidio* on the Rio Grande. But the latter thought he could do better at court, and fled to the viceroy. As Franquis had no effects wherewith to discharge the fees and costs of the commission, amounting to something over three thousand four hundred dollars, Sandoval had them to pay. But this did not terminate the matter; for, although it often happens in courts of justice that the party who gains his suit is mulcted in the costs, yet Sandoval was not satisfied. His honor was concerned; so also was his purse. The sympathies of the Texans were on his side. They loved him for his zeal in driving off the Indians, and in building up their new country; and they hated Franquis for his despotic conduct while governor. Hence this suit became a state affair, in which all Texas was deeply interested, and in which nearly half her citizens were witnesses. But, while the two ex-governors were carrying on their lawsuit, the viceroy appointed Don Justo Boneo governor.

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* *Testimonio de un Parecer, &c., parapho 43, et seq.*

In 1738, Sandoval, after paying up the costs, presented to the judge his petition against Franquis, complaining of the in justice done him in the previous proceedings. The papers were duly transmitted to the viceroy, and by him laid before the attorney-general Vedoya. These papers consisted, not only of the petition of Sandoval, but a transcript of the previous proceedings, and of such new charges as Franquis could make out. He had made several different accusations against Sandoval, who was charged with not having kept his official residence at Adaes instead of San Antonio; with not having kept a regular account with the soldiers of that garrison; with having reduced the number of paid missionaries, in order to save for himself their salaries; and also, what was most important, with conniving at the removal of the French garrison at Natchitoches.

On the 28th of March, 1740, a partial decision of the case was had. Sandoval was not acquitted of the charge of not residing at Adaes, although his presence was necessary at Bexar, in defending that post against the Apache Indians; nor was he cleared in the matter of keeping the books, although he showed that he could not keep them when he was not there. He, however, kept a memorandum of the funds received and transmitted, which exhibited a balance in his favor of more than thirteen hundred dollars. On the charge of reducing the number of missionaries, he was entirely acquitted. He was fined five hundred dollars for the first-named offences. In relation to the more serious charge of conniving at the encroachments of the French, Senor Vedoya could make no decision without further evidence on various points. Sandoval, seeing in this decree the influence of Franquis at court, and the uncertainly of the law, paid the five hundred dollars, and left the capital.

On the 14th of July, 1740, the order was sent to Governor Boneo to take testimony at Adaes, and report what distance it was from that post to the French settlement on Red river; what houses or forts they had erected; when this was done; who was governor of Texas at that time; what diligence he had used to prevent the removal of the French; if he had neglected his duty; what he ought to have done; if, afterward, a free passage had been allowed to the French, for what reasons; had there been any negotiations for contraband trade; and any other information that would throw light on the subject in litigation.

The governor proceeded to take the testimony. He examined many old soldiers that had come out to Adaes with De Aguayo twenty years before, and proved that the Arroyo Honda and *Gran montana*, situated half way between the two posts, had always been considered the boundary between the respective crowns; that when the post of Adaes was established by the Spaniards, they found the French at Natchitoches, and in possession of the country on the hither bank of Red river as far as the Arroyo Honda; that, although Sandoval had pursued all lawful means to prevent the removal of the French, yet the Spaniards had never claimed farther than the Honda; and that as to the matter of contraband trade, notices had been set up everywhere, at Adaes, prohibiting all intercourse with the French. This evidence was overwhelming; and the attorney-general, in his opinion of November 28, 1741, entirely acquitted Sandoval. But, in the meantime, the old archbishop Vizarron had gone out of the viceroyalty, and the duke de la Conquista came into office in the month of September, 1740. Scarcely had he entered the palace, when he was besieged by Franquis; and Sandoval, who had gone to Vera Cruz, was pursued and again thrown into prison! But finally, in December, 1743, the proceedings coming up before Count Fuenclara, the new viceroy, with whom Franquis seemed not to have so much influence as over his predecessors, he acquitted poor Sandoval, and enjoined Franquis from prosecuting him any further. In January, 1744, Sandoval was furnished with a summary of the proceedings; and a copy of the whole, filling thirty volumes of manuscript, were sent to the king of Spain!

The details of this trial are given, not only because it was the first recorded lawsuit in Texas, but because we can gather from it something of the mode of legal procedure in those days. It is also an important link in the great diplomatic controversy concerning the ownership of the country.*

Texas in 1744, after all the expenses that had been incurred, and the pains taken by the missionaries and the government, was not prosperous. Governor Boneo, with all his good intentions, was a weak man, and ill suited for pushing forward the great enterprise of settling a new country. All the efforts made had not increased the population since 1722. The withdrawal of the troops, the continual wars with the Indians, the great insecurity of life and property, the prohibition of commerce with the French of Louisiana, all tended to continue Texas a barren, isolated waste. It was in vain that the fertility of her soil, the abundance of her waters, the mildness of her climate, the excellence of her game, and her vast resources in general, were painted in bright colors to the council of the

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* In the discussions of 1805 and 1818, between Spain and the United States, relative to Texas, both Cevallos and De Onis had before them this old record. Yet De Onis said, in his letter to the secretary of state, dated January 5, 1818: "It is unquestionable, from the historical series of facts, and the most unexceptionable documents, that the province of Texas extended to the *Mississippi*, and that the French never crossed the river into that district but through the sufferance or permision of the Spanish governors!"—*American State Papers*, vol. xii., p. 37. He further states, in the same letter, that Sandoval had granted permision to the French to remove their *garrison*; for which he was taken "under guard to Mexico, to be tried there before a court-martial—*which was carried into effect with all the rigor of the law!*" Kennedy, following De Onis, has been alike deceived.—*History of Texas*, vol. i., p. 221.

Indies: it seemed to be their policy from the beginning, to leave the province as an unsettled frontier—a barrier against the encroachments of the Europeans of the north. By a "law of the Indies,"* the governors of the colonies were forbidden to invest any amount whatever of the public funds in defraying the expenses of colonization, discoveries, or improvements, without special instructions for that purpose from the king; and these orders, when asked, were almost uniformly refused.

The European population of Texas, at this period, did not exceed fifteen hundred, which, added to a like number of converted Indians (*Yndios reducidos*), was divided mostly between Adaes and San Antonio; a few only being at La Bahia, and a small fort and mission at San Saba, which had been established out among the wild Indians for the humane reason of the friars, that it was better to civilize than to kill them. If there was a mission at all at this time at Nacogdoches, it was dependent on the post at Adaes for protection. Spain and France were now on excellent terms, and the colony of Louisiana was gradually extending its trade, but without disturbing the Spanish authorities on the frontier. The settlements on the south of Texas were making but little progress. At Monclova, the capital of Coahuila, there was a small garrison of thirty-five men; half way between that post and the *presidio* of the Rio Grande (at Sacramento, on the Sabinas), there was another garrison of fifty men; and at the *presidio* itself thirty-two more. The province of Coahuila extended from the Medina southward three hundred miles; south of that, again, was the province of New Leon, leaving along the gulf-coast a skirt of a hundred miles of country unsettled and unorganized. This long line of coast afforded abundance of rich pasturage, whither the flocks of the provinces were driven in November, and, under the care of escorts and soldiers stationed to guard them, remained till the following May; but, notwithstanding all their precautions, the Indians along the coast committed frequent robberies and murders.*

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* *Leyes de las Indias*, l. xvii., t. 1, l. 4.

The Texan missionaries kept up a regular correspondence with the parent-convents of Queretaro and Zacatecas, which, if ever published to the world, will exhibit a painful history of their trials and privations. In the ecclesiastical organization of New Spain, Texas, with Coahuila and New Leon, were attached to the bishopric of Guadalaxara.†

From the close of 1744 to 1758 we find no important event in the history of Texas. The few people living in the territory, sunk in obscurity and indolence, seem only to have been waiting events. Their lives were merely passive. It is, of course, understood, however, that the faithful missionary was doing his duty—that he was enlarging and civilizing his flock. It is also understood that the wild Apaches and Camanches permitted no opportunity for robbery or murder to pass unnoticed.

In 1758, however, a tragic scene occurred at the San Saba mission. The Indians, in large numbers, assaulted the mission, took it, and killed all, both pastors and flock, including the small guard stationed there. Tradition informs us that none were left to bear the news of the dreadful massacre. This mission had been established far beyond the then Texan frontier. We have seen its benevolent object. Such a return for such love, while it calls down blessings upon the heads of the devoted followers of the cross, is enough to make one doubt whether the Indian forms a part of the human race. This fearful butchery had its effect in causing the missions in Texas to decline. In fact, they never recovered from the blow.

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* *Testimonio de un Parecer, &c., paraphos* 5, 6.

† Ib., *parapho* 7. Besides the thirty books of manuscript in regard to the suit between Sandoval and Franquis, there were forty more, giving the early history of Texas, which are doubtless now among the archives of Simancas, in Spain. Dr. Robertson, speaking of the impossibility of obtaining these records, says: "Spain, with an excess of caution, has uniformly thrown a veil over her transactions in America. From strangers they are concealed with peculiar solicitude. Even to her own subjects the *archivo* of Simancas is not opened without a particular order from the crown."—*History of America: preface*, p. 4.

Efforts were made to avenge this cruel outrage. Captain Don Diego Ortiz de Parilla was despatched with a body of troops to chastise the ruthless savages; but the latter fled to their strongholds, and we have no evidence that they were ever punished.*

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* Kennedy, vol. i., p. 222. In 1752, there was discovered at San Saba a silver-mine, which drew to the fort quite an increase of population. It is probable that the bad behavior of the miners toward the Indians brought on the terrible massacre of 1758. At the time of its occurrence, there was a fort, surrounding an acre of ground, under a twelve-feet stone wall, enclosing a church and other buildings.—*Holly, History of Texas*, p. 164.

CHAPTER VIII.

As the destiny of the different colonies and settlements in America depended upon the political changes occurring in the parent-countries, it will be necessary to refer to them.

Charles II. of Spain, the last sovereign of the house of Hapsburg, died in November, 1700, and by his will appointed Philip of Anjou, grandson of Louis XIV., his successor. The object of this testamentary disposition was to prevent a division of the Spanish monarchy, which had been determined two years before in a treaty between England, France, and Holland, in order to preserve the balance of power in Europe. The testamentary appointment of Charles detached Louis XIV. from the house of Hapsburg, and thus the "War of the Succession" began. After a long struggle, Philip succeeded in retaining his throne; but, by the treaty of Utrecht, in 1713, Spain was greatly shorn of her power, losing Gibraltar and a large portion of her European possessions. She was not satisfied with this treaty; and it was the ill-concealed design of Cardinal Alberoni, her ambitious minister, to reclaim the vast territories of which she had been stripped. To counteract this intention, France, England, and Holland, formed a new alliance in 1717. This alliance was confirmed and enlarged by another treaty made the following year, in which the emperor of Germany became a party. But before the close of 1718, such were the demonstrations of Spain, that England and France both declared war against her. Finding herself alone, and all the great European powers arrayed in opposition to her, Spain in 1720 signed the alliance. But still her ambitious minister was not satisfied; he wished to restore to her these lost possessions. Alberoni was, however, degraded at the close of this year; yet the efforts of Spain to regain her territories did not cease. By confirming to the emperor of Germany his portion of the spoil, she detached him from the quadruple alliance, and engaged him to assist her in the recovery of Gibraltar.

This last-named treaty, concluded April 30, 1725, was followed by a counter-alliance between England, France, and Prussia, entered into on the 3d of September following. The impending war shortly afterward commenced.

Charles VI., emperor of Germany, had issued in 1724 a royal ordinance, by which he settled his hereditary dominions on his eldest daughter, Maria Theresa. This ordinance was known as the *Pragmatic Sanction.* One of the provisions of the treaty between Spain and the emperor was the guaranty of this ordinance by the former power. After much agitation and many treaties, that of Vienna, in 1731, between Great Britain, Holland, and Spain, guarantied the pragmatic sanction, and restored a seeming peace to Europe. France agreed to it in 1738; but, in 1740, Charles VI. died, and Maria Theresa succeeded to his crown, by virtue of the ordinance so well guarantied by Europe. The elector of Bavaria, however, now set up his claim to the empire, and a general war ensued—Spain, France, and Sardinia, supporting the elector; and England, Russia, and Poland, the empress Maria. The elector was declared emperor in 1742, under the title of Charles VII.; he died in 1745, and was succeeded in the imperial office by the duke of Lorraine, husband of Maria Theresa, as Francis I.

This war of the *Pragmatic Sanction*, however, ended only by the peace of Aix-la-Chapelle, in 1748; but Spain was a gainer by the contest, having recovered Naples, Sicily, and Parma.

In none of the previous treaties, however, had England and France settled the boundaries of their American possessions. This, in 1755, gave rise to a war between them, which was carried on with great activity in the English and French colonies in America. It was the school in which our revolutionary fathers learned their first lesson of independence. The relations existing between France and Spain, since the elevation of Philip of Anjou to the Spanish throne, drew the latter into it. The contest continued until the peace of Paris, in February, 1763; it was most disastrous to France, and to some extent injurious to Spain.* At the close of 1761, France was so greatly weakened and exhausted by the war, that she directed her minister to inform the court of Spain of her inability to give protection to the colony of Louisiana, and to solicit aid from Spain in furnishing it with supplies, and in preventing the English from obtaining its possession. The activity and progressive enterprise of the English colonies were well known to Spain and France; and one of the principal arguments used by the French embassador, in this application, was, that Louisiana was the only barrier between the English and the Spanish possessions south of it. But Spain was slow in action, and the war grew daily more disastrous to France. At length, on the 3d of November, 1762, France ceded Louisiana to Spain, *not from the pure impulse of his generous heart*, as is recited in the royal act of Louis XV., but to prevent it from falling into the hands of the English. By the treaty of peace in the following February, France ceded to England Canada, Nova Scotia, and in fact all her continental possessions in North America.

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* Encyclopædia Americana, articles *Spain*, *France*.

Henceforth the line of boundary between Spain and England, commencing at the source of the Mississippi river, was to run down the middle of that stream to the river Iberville; thence with that stream and Lakes Maurepas and Ponchartrain to the gulf of Mexico; Spain also ceding Florida, *and the navigation of the Mississippi to be free to the subjects of both England and France.*[*] This last concession was of the utmost importance to the possessions of England, and subsequently to the United States.

The reader of history is not unacquainted with the utter indifference with which the sovereigns of the Old World transferred their colonies in the New. The colonists, however much they may have loved their sovereign, their country, and her institutions, were bought, sold, or given away, without their consent, and often without their knowledge. So, in this case, the act of cession by which Louisiana was transferred to Spain was kept secret for more than eighteen months after its execution! That portion of the province, however, which had been ceded to England, was delivered to her in the fall of 1763.

By this arrangement, France had lost a vast territory; but Spain had removed her landmarks, and acquired what she had not before, a well-defined boundary on the north. Her new neighbors, however, were lining the left bank of the Mississippi with forts, settlements, and adventurers. A people had there obtained a foothold, which, with the advantage of a right to navigate the Mississippi, were destined to be troublesome.

We can trace all these results—the loss to France of her American possessions, and the loss to Spain of a passive power between her possessions and the Anglo-American colonies—to the overthrow of the house of Hapsburg, and the accession of the Bourbons to the throne of Spain. To accomplish the latter object, Louis XIV. was willing to break a solemn treaty with England and Holland. This treaty was formed to *preserve the balance of power:* the result was, the overthrow of that balance of power, and the building up a new power in America, which, forcing a separation from the parent-country, has far outstripped all others in noble institutions and progressive energy.

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[*] Gayarre, History of Louisiana, vol. ii., p. 91, *et seq.*

The doctrine of the "preservation of the balance of power" among the European states has resulted in more wars, produced a more fearful devastation of human life, and a greater waste of treasure, than all other causes combined!

The accession of Louisiana to the crown of Spain was hardly *desirable* to that government. She knew the troublesome and restless spirit of the English colonists, and seemed to anticipate evil from their proximity. However, the king, to oblige his cousin of France, accepted the gift. And, as the posts along the old frontier were no longer necessary, the troops at Adaes and Orquisaco were shortly thereafter withdrawn.* But the new addition of territory to the Spanish crown required a reformation of frontier defences. Accordingly, the marquis de Rubi was sent over from the mother-country to examine into the condition of the defences of New Spain, and report his opinion thereon. After making the examination and report, a new series of posts was established, forming a *cordon militaire* from Sonora to the gulf of Mexico. In this new arrangement, however, but two posts were allowed in Texas—that is, at San Antonio and La Bahia. The missions, moreover, were not broken up, but remained dependent upon the forces at these posts for incidental protection.

The Spanish government never looked upon Louisiana as altogether her own property, nor did she treat it as a legitimate appendage of the crown; and while the king instructed D'Ulloa, the first Spanish governor of Louisiana, that there should be no change in the administration of its government, he also directed that its affairs should not be controlled by the council of the Indies, but that they should pass through the hands of the minister of state.*

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* American State Papers, vol. xii., p. 300.

Nevertheless, the principal obstructions to the commerce between Texas and Louisiana were now removed, and the two provinces thereby alike benefited. Texas had, it is true, but little to sell; yet, as the neighbor of Louisiana, she was, to some extent, the merchant of that colony and the internal provinces of Mexico. She had, of her own production, horses, cattle, and sheep: with these articles of trade she supplied the Louisianians, in exchange for manufactured goods. The precious metals sent from Chihuahua, Coahuila, New Leon, and even from New Mexico, passed through her territories to New Orleans, as the nearest wholesale market, in exchange for the various manufactures imported thence from the parent-state. These transfers were made on mules, travelling generally in caravans, with a guard deemed sufficient to protect them from the Indians.

Had the Spanish government permitted a free trade between her colonies and other countries, their prosperity would have been greatly hastened: towns and marts of trade would have sprung up on the Texan coast; and Galveston, instead of remaining an uninhabited island even up to the date of the Texan revolution, would, long before, have grown to be a considerable city.† But the policy of Spain was barbarous and exclusive. The trade of her colonies was regulated and controlled by a tribunal known as the *Casa de Contratacion*, which was established at Seville. The colonists were prohibited from the manufacture of most of the articles which could be furnished by the mother-country, and also from the cultivation of the vine and the olive! All their exports and imports were required to be conveyed in Spanish vessels. They were not permitted to trade with the colonies of other nations; nor were they allowed to trade with each other, except to a very limited extent: no person was permitted to trade with them under severe penalties![*] All this had a tendency to prevent the growth of the Spanish colonies, and to keep them dependent on the mother-country for the necessaries of life. It had a further and stronger tendency to exasperate the colonists against a parent so unfeeling and despotic. The prospect before them was indeed gloomy. The enterprising colonist saw himself deprived of that hope which alone makes life tolerable. He found himself on a soil blessed with unusual fertility, which he was not allowed to use, except for a limited purpose. If to this we add the significant fact that, under the Spanish rule, none but native-born Spaniards could enjoy the important offices in the colonies, we may well conclude that the cup of their oppression was full, and that they required only a favorable occasion to throw off a yoke so galling.

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* Gayarre, History of Louisiana, vol. ii., p. 158.

† Galveston island, first discovered by the colony of La Salle, was known as the island of *St. Louis;* but, about the year 1800, it was called *Galveston*, in honor of Don José Galvez.

The trade between Spain and her colonies in America was at first carried on by a convoy of ships called *galleons*, which made one voyage annually; but they were discontinued in 1748, and registered vessels introduced in their stead. After the acquisition of Louisiana, the necessity of a more frequent and direct intercourse between Spain and her colonies caused the introduction of regular monthly mail-packets, which sailed from the mother-country to Havana, whence the mails were despatched to the different provinces. In addition to this facility of intercourse, by an ordinance of the kind-hearted Charles III., the trade of the West India islands belonging to Spain was, in 1765, thrown open to the other Spanish provinces.* Yet the advantage gained by Texas in these ameliorations was small and indirect. Her seacoast was a *terra incognita*. A chance vessel of the buccaneers may have strayed into Copano, or Galveston bay, for the purpose of concealing a prize; but Texas had no maritime trade. New Orleans and Vera Cruz were her only ports. For the growth of Texas, and most of the provinces of New Spain, they were indebted to the contraband trade carried on with great activity by the English, French, and Dutch. It amounted to at least one third of the exports and imports, and had this advantage, that it paid no duties. It was the natural result of the "oyster policy" of Spain; and, as a question in ethics, it rests upon the same principle with that other yet-undecided point, whether it be lawful to slay a tyrant.

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[*] *Recopilacion*, lib. ix. tit. 27. Robertson's History of America, book viii., p. 354.

The population of Texas, in 1765, can not be accurately ascertained. The chief settlements were at Adaes,† San Antonio, La Bahia, and perhaps a few at Nacogdoches, Orquisaco, and Mound prairie. In the two first-named places there were hardly five hundred inhabitants, exclusive of converted Indians. The whole European population of the province did not, perhaps, exceed seven hundred and fifty, to which may be added a like number of domiciliated Indians. The trade with Louisiana, including that which passed through Texas, did not exceed sixty thousand dollars per annum.‡ Estimating her trade with the provinces of New Spain at twice that amount, the entire annual commerce of Texas at that period, including what passed through her territory, was not over one hundred and eighty thousand dollars. It may be safely estimated that one half of this amount merely passed through her territory. This would reduce the total sum of her exports and imports to ninety thousand dollars per annum.

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* Niles's History of Mexico, p. 81.

† M. de Pagés, of the French navy, who visited Adaes in 1768, describes it as then consisting of forty houses, a church, and a Franciscan mission. He says he obtained nothing there to eat but *tortillas*.—*Prairiedom*, p. 29.

‡ Gayarre, History of Louisiana, vol. ii., p. 353.

The acquisition of the vast territory owned by the French, from the gulf of St. Lawrence to the river Iberville, had given to the Anglo-American colonies an impulse which hastened the already-rapid development of their power. It was not perhaps so much the oppression of which they complained, as the love of liberty, that moved the English colonists to independence. For this, they had become exiles from the Old World, and had endured unparalleled hardships in the New; and, to obtain this, they now took their first steps. But it is not our province to detail these memorable events, further than as they are connected with our subject.

As in the approach of a great storm, the heavens, except in the direction whence it is coming, gradually become clear and tranquil, so, during the few years preceding the American Revolution, nations adjacent and connected with England or with her colonies seemed to enjoy that quiescence. France looked on with mingled hopes and fears. She was still haunted with the idea of the "balance of power." England had grown too great, and her old enemy would gladly see her stripped of her richest possessions. Furthermore, it would be to France a sweet revenge for the misfortunes of the "Seven Years' War." On the other hand, the colonies were all republican: the disease might become infectious, and ultimately drive the king from his throne. But the French people were with the colonies, and they prevailed.

Spain was more delicately situated. Her vast possessions in America, seeing a successful revolt of the English colonies, would doubtless follow the example. On the other hand, Spain wished to recover Gibraltar, Jamaica, and Florida; and such a war would afford her a good opportunity to embark in the enterprise. Besides, she was governed by the Bourbons, and, of course, bound to the same destiny with France; she also thought that England was too powerful. Yet, under all these considerations, Spain was timid; and while France was secretly fanning the flame of revolution, the Spanish government was in favor of mediation, of peace.

In the meantime, the people of Texas, few in number, and poor, were quietly pursuing their daily pleasures and toils. The missions were not very successful in the conversion of Indians, yet the establishments were well sustained. The aboriginal tribes were in constant wars. The powerful nation of the Cenis were already driven from their ancient home on the Trinity. The Nassonites, too, were disappearing before the migrating tribes driven by the Europeans from the valley of the Mississippi. The Indians on the coast were less disturbed, because their lands were less desirable. Thus we see the general movement of the different races: the Anglo-Americans crowding westward, and driving before them the aborigines; the latter expelling other native tribes; the Indians passing through the Spaniards, but these latter also retreat before the English. Statesmen and philosophers have all fallen short of the truth in their predictions as to the progress of the dominant race. It has outstripped their largest calculations.

The annexation of Louisiana to the Spanish possessions, while it enabled Spain to dispense with her military posts on the eastern frontier, likewise afforded her an opportunity to build up Nacogdoches. Many persons of politeness and means were induced to emigrate from Louisiana to that point. Thus the old missionary station became a town, and, being in the neighborhood of an active commercé, the place soon acquired considerable wealth, and a trade of its own. This emigration occurred about the year 1778.* Captain Gil y Barbo, the first commandant of Nacogdoches, was a man of enterprise. Besides an arsenal and barracks for the soldiers, erected on the hill west of the Bañita, he laid the foundations of the old stone house, which still survives as a monument of his industry.

About the same time, the garrison was finally removed from St. Bernard's bay, and located at La Bahia, where a considerable town sprang up.

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* Kennedy, vol. i., p. 229. Colonel Forbes's Notes, MS.

CHAPTER IX.

During the American Revolution, Texas was quiet. She was safe from danger. Her harbors were unknown; her poverty offered no temptation for pillage; her scattered population could afford no recruits. Yet, when Spain declared war against England in 1779, and Don José Galvez, then governor of Louisiana, engaged in active hostilities, the province of Texas contributed her mite of soldiers for his armies, and joined with Louisiana in rejoicing over his victories at Natchez, at Fort Amity, Fort Charlotte, Mobile, and Pensacola.* But the treaty of peace, in 1783, put an end to the triumphs of Galvez, and transferred to the United States all the territory east of the Mississippi as low as Fort Adams, and north of the thirty-first parallel of latitude, to the Chattahoocha river; thence down that stream to the junction of Flint river; thence to the head of the St. Mary's river, and down the same to the sea. This treaty also provided that the navigation of the Mississippi, from its source to the gulf of Mexico, should for ever remain free and open to the people of Great Britain and of the United States.* Thus a door was opened to the egress of the people of the Union. But Spain did not so regard it; and, as early as June, 1784, Don José Galvez, of the "Department of the Indies," made known to the United States, through the Spanish agent, that Spain was not bound by the treaty of limits made between the former and Great Britain; that both sides of the Mississippi, as well as the navigation of that stream below the thirty-first parallel, belonged to Spain, until she chose to grant them in whole or in part; and that vessels of the United States navigating that stream would be exposed to process and confiscation.† Here began a controversy, which, as will be seen, continued long, and ended in important results. La Fayette, then in Paris, undertook an informal negotiation. He proposed that Spain should cede New Orleans to the United States, or at least make it a free port. But in March, 1785, the marquis informed the Continental Congress that the first-named proposition was impossible; and, as to the second, he could obtain no positive answer.‡

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* Don José Galvez was a remarkable man. He was the son of Don Mathias de Galvez, viceroy of Mexico. He was born in the city of Malaga, in Spain, and held, under the king, the honorable posts of intendant of the army and member of the supreme council. In 1765, he was appointed visiter-general of New Spain, which office he discharged with such fidelity, that in 1768, he was appointed to the council of the Indies. In 1777, he was made governor of Louisiana. In the Revolution, his sympathies were with the United States; and when the king of Spain informed him that he was about to commence hostilities, he joined with the people of Louisiana in the joy which the news imparted. He prosecuted the war with great vigor, and recovered for the king the whole of Florida, taking eight hundred of the enemy prisoners. This was an effectual aid to the United States. For these important services he was appointed brigadier-general; afterward captain-general of Louisiana; then, in addition, captain-general of Cuba; and finally, upon the death of his father, in 1785, he was created viceroy of Mexico. A more able and enlightened representative of the king had never occupied the viceregal palace. He facilitated the administration of justice, established intendancies for the protection of the Indians, and effected a general reformation in the government. He was exceedingly popular with all classes, but especially with the natives, and well deserved that his name should be perpetuated in that of the chief town and island of Texas.—*Historia de Mejico*, p. 39; *Bunner's History of Louisiana*, p. 145, *et seq.*; *Niles's Hist. of Mexico*, p. 84.

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* Elliot's Diplomatic Code (treaty of September 3, 1783), vol. i., p. 237. This boundary was also agreed to by Spain (see treaty of October 27, 1795, ib., p. 391).

† Diplomatic Correspondence, vol. i., p. 135, *et seq.*

‡ Ib., vol. i., pp. 336, 421, 444, 445, 455. At that time, Spain had no minister near the government of the United States. Senor Gardoqui, her first minister, did not arrive till the following May. — *Diplomatic Correspondence*, vol. vi., p. 72.

The Congress had taken strong ground on the subject. So early as June, 1784, they had resolved that our ministers should negotiate no treaty with Spain by which they should relinquish or cede, in any event whatever, the right of the citizens of the United States to the free navigation of the Mississippi from its source to the gulf of Mexico. At the close of the American Revolution, Spain and the United States were good friends, and sincerely so. The former had done much to achieve that independence which the Union enjoyed. General Don José Galvez, then a powerful personage at the court of Madrid, was warmly devoted to the United States. Through his influence, his uncle, Don Diego de Gardoqui, was appointed minister to the new republic. The Spanish government had also manifested its good will by releasing from slavery in Algiers many of our citizens who had been taken by the corsairs. Galvez and Gardoqui sailed in the same vessel to Havana—the latter on his way to the United States, the former to take charge of his captain-generalcy of Cuba. Gardoqui was empowered to treat of boundaries, &c., but directed to consult Galvez.*

Under these circumstances, so auspicious, it might be inferred that the boundary-line, and also the navigation of the Mississippi, could be speedily settled. The territory and the rights claimed by the two powers had but lately come into their hands; neither of them, therefore, could treat it as an heirloom. To understand the points at issue, let us refer to facts.

The commerce of the Mississippi river had rapidly increased, even during the Revolution; but after its close, the trade on the great stream had become indispensable to the new settlers on its upper tributaries, and they were not the people to surrender a right resting upon a law of nature.† It became necessary to the existence of the Union that this right should be preserved; but, as Spain owned both banks of the lower Mississippi, she claimed the right to its exclusive use: and the simple right of navigation to the ocean would have been impracticable without also a place of deposite.

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* Diplomatic Correspondence, vol. vi., pp. 65, 79, *et seq.*

† La Fayette, in his letter to Jay, dated Paris, October 15, 1787, says he could

In regard to boundaries, it will be remembered that, in the treaty of 1762, Spain had ceded Florida to England; that, in the treaty of January 20, 1783, that province was retroceded to Spain; but, in the treaty of November 30, 1782, between England and the United States, the former ceded to the latter all the territory east of the Mississippi down to the thirty-first parallel of latitude; whereas Spain claimed, as part of Florida, conquered by her arms, all the territory at least as high up as Natchez, and the settlement around that place.* The treaty of November 30, 1782, being anterior to that between England and Spain, the latter being an ally of the United States, and the disputed territory being within the chartered limits of Georgia, clearly gave the United States the best right.†

What was the object of Spain in thus contesting so strongly the right of the United States to this territory north of the thirty-first parallel of latitude, and the joint use of the Mississippi river? The answer is found in the correspondence between the French embassador at Madrid and his government. "The cabinet of Madrid," says he, "thinks it has the greatest interest not to open the Mississippi to the Americans, and to disgust them from making establishments on that river, as they

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never submit to the idea of giving up the navigation of the Mississippi; that it belonged to the United States by the law of nature, and to concede it to Spain would be inconsistent with the character of the American Union.—*Diplomatic Correspondence*, vol. i., p. 455.

* Oliver Pollock to John Jay, June 3, 1785.—*Ib.*, vol. vi., p. 79; *American State Papers* (*confidential*), vol. x., p. 132.

† See the entire correspondence in the tenth volume of American State Papers, and the sixth volume of Diplomatic Correspondence.

would not delay to possess themselves of the commerce of New Orleans and Mexico, whatever impediments should be opposed to their progress, and that they would become neighbors the more dangerous to Spain—*as, even in their present weakness, they conceive vast projects for the conquest of the western shore of the Mississippi.*" He further adds that "Spain is decided to make the savages a barrier between her possessions and those of the Americans."*

The discussion of these questions continued between the United States and Don Diego Gardoqui until the adoption of the federal constitution in 1787, neither party being willing to give ground. In the meantime, the settlers in the present states of Kentucky, Tennessee, and Mississippi, were taking the matter into their own hands. Such men as George Rogers Clark, James Wilkinson, Thomas Green, and William Blount, had determined, at all events, to remove the Spaniards. It was in vain that the federal government endeavored to restrain them. They replied, in language not to be misunderstood—"If the United States did not open to them the navigation of the river, they would do it themselves!"†

In the meantime, Washington had become president, and Jefferson secretary of state. England had gone to war with revolutionary France; and the French people having beheaded their king, Spain was induced to join England in the league against them. England, jealous of the rising commerce of the United States, restrained Spain from making concessions to the latter. But the victorious arms of France drove Spain from her alliance with England, and a change of ministry occurred at Madrid: Manuel Godoy, the "Prince of Peace," became the mainspring of Spanish politics. Spain and France now formed an alliance; and the latter power, willing to oblige the United States, and to assist in building up a rival commerce to that of Great Britain, aided in forming a treaty. Spain at last yielded, but wished the United States to guaranty her American possessions. This the latter declined. Nevertheless, the treaty of 1795 was agreed to and signed. It made the thirty-first parallel of latitude the southern boundary of the American Union, and confirmed the right of her citizens to the navigation of the Mississippi. It also provided that, for the space of three years, Spain would permit the citizens of the United States to deposite their merchandise and effects at New Orleans; and if she did not think proper to continue this privilege longer, she would then assign them another place on the banks of the river of equal utility as a place of deposite.*

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* American State Papers, vol. x., pp. 185, 186.

† During the early part of this discussion, Mr. Jay, who had charge of it on the part of the United States, was rather disposed to give way on the question of navigation. The news soon spread over the western country. The people flew to arms; and it became necessary, to prevent a war, that Jay should return to his first position. A public declaration was also made by Congress that they would *never* abandon this right of navigation.

The Spanish settlement at Natchez, meanwhile, had opened and kept up an intercourse with Texas, through Natchitoches. This road had become familiar to many besides the Spaniards. On their return, they would make known to the Americans at Natchez the advantages of the trade in Texas, the surpassing beauty and richness of the country, the abundance of the game, and the thousand other attractions to adventurers. All these recitals, so novel to the pioneers who had marched to the extreme limits of the United States on the Mississippi, excited in them a curiosity, a love of adventure, and a desire to see the Texan region, which the dangers incident to the journey served only to increase.

The Indians in Texas had again become troublesome. The

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* Treaty of San Lorenzo el Real (October 27, 1795).—*Elliot's Diplomatic Code*, vol. i., p. 390.

Franciscan fathers had not met with the desired success in civilizing them; nor were the forces at the posts sufficient to overawe them. In fact, it is not improbable that the missionaries would have succeeded better without the soldiers: so little does the arm of God need an arm of flesh to propagate his gospel! Such was the daring impudence of the Camanches, that the troops at the Alamo were compelled for safety, in 1785, to remove their tents within the mission walls. This venerable mission, the second in Texas, deserves some consideration.

It was first founded in the year 1703 by Franciscans of the apostolic college of Queretaro, in the valley of the Rio Grande, under [illegible] invocation of San Francisco Solano. Here it remained for five years, but for some reason was removed to a place called San Ildephonso, where it seems to have remained till 1710, at which time it was moved back to the Rio Grande, and reinvocated as the mission of San José. Here it remained under the guidance of the good father José de Soto till the 1st of May, 1718, when, on account of the scarcity of water, it was removed to the west bank of the San Pedro, about three fourths of a mile northwest of the present parish-church of San Antonio.* Here it remained, under the protection of the post of San Antonio de Valero, whose name it assumed, until 1722, when, on account of troubles with the Indians, it was once more removed, with the post, to what is now known as the *Military Plaza*. The main square, or *Plaza of the Constitution*, was formed in 1730 by the colonists sent out at the request of De Aguayo. The establishment around the Military Plaza was properly called *San Antonio de Bexar (Vejar)*, while the town on the east of the church was known as *San Fernando*.

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* Bexar Archives, MS. I am indebted to my friend F. Giraud, Esq., for these data in regard to the *Alamo*. He has a more accurate and critical knowledge of the old history of Texas than any person in the state. "The baptisms and other rites are said, in the 'Book of Baptisms,' &c.," observes Mr. Giraud, "to have been performed in the parish of the Pueblo of *San José del Alamo*, a name which I am inclined to think was never adopted by the people generally." See Appendix No. 4.

In May, 1744, the people, tired of the lawsuit between the ex-governors Sandoval and Franquis, laid the foundation of the church of their old mission, where it now stands unfinished, as the *church of the Alamo*. It had been seeking a resting-place for nearly half a century, and it was time that it should find one. From this period until 1783 it was still known and conducted as the mission of *San Antonio de Valero*. In the meantime, the number of Indians under its charge increased, and, as they became civilized, were settled around the mission, thus forming a town on the east side of the river. The company of San Carlos de Parras was stationed there for the protection of the town and mission. It enjoyed a separate organization, and had its own *alcalde*, and place of worship. But, about this last-named period, the place ceased to be a missionary station. All the Indians brought in for conversion had for some time previously been taken to the missions below the town—perhaps the better to secure them against its corrupting influences; so that, having no further missionary work to perform, San Antonio de Valero became an ordinary Spanish town, and the old missionary church of the Alamo became a common parish-church. On the 2d of January, 1793, the bishop of Monterey directed the church-records of the mission to be passed to the curate of San Antonio de Bexar. Accordingly, it was done the ensuing August, by Father Lopez, the last of the noble followers of St. Francis that had labored as a missionary in the Alamo. And, on the 10th of April, 1794, Don Pedro de Nava, governor of Chihuahua, whose jurisdiction also extended over Texas, secularized all the missions within the two provinces; by which all the temporalities of the missions were taken out of the hands of the friars, and delivered to the civil officers of Spain. The people of the missions, however, were not left destitute; for, by the same decree, the mission-lands were divided among them, and titles given to each man.

The Adaes, after the abandonment of that post by the Spanish troops, continued to languish till 1790, when it was broken up and deserted, and the inhabitants removed to San Antonio, where places were assigned them on the east bank of the river, north of the Alamo; and titles were also extended to them of the irrigable lands between the Alamo ditch and the river. This spot is still known as the *Labor de los Adaeseños.*

The reforms introduced by Galvez, and the general increase of commerce in the Mexican gulf, had called the attention of the public authorities to Aransas bay. Copano had been for some time a place of landing, principally for smuggling-vessels. To watch these illicit movements, the mission of *our Lady of Refuge* was located on Mission river, some ten miles above Copano, in the direction of La Bahia. But little progress, however, was made, either in the conversion of the Indians or in building up the mission. A corporal with a guard was stationed there, and, instead of assisting in the work, took possession of the comfortable quarters erected by the father and his Indian flock; and instead of remaining in front of the mission, to guard it, took shelter under its pickets; and, instead of aiding in the instruction of the Indians, were imparting to them what they ought not to know.*

The mission at La Bahia had met with some success. It served at least as a settlement, and a place of defence. The fathers were kind to the Indians, which treatment met with no bad return. This was evinced in after-years, when the latter, flying from the Anglo-Americans, took refuge at La Bahia.

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* Bexar Archives, MS. Letter of Brother Antonio de Jesus Garavita to Don Manuel Minoz, governor of Texas, March 14, 1799.

Such was the situation of Texas toward the close of the last century, and but little in advance of what it had been seventy-five years earlier.

But the American Revolution had changed the face of things. A spirit was invoked that could not be allayed: it was one of liberty of thought and action—of inquiry and progress. It soon found its way to Texas. It came first in search of wild horses, of cattle, and of money; it came to see and admire; it came to meet dangers and contend with them; it came to say that no people had a right to shut their doors and deny the rights of hospitality; it came to diffuse itself wherever it went. It was in vain that it was resisted by old organizations and systems—it must be heard. It was in vain that the conventional code of nations was pleaded—they required a new code. The shock was rude, but useful, and the result good for the world.

Just at the close of the eighteenth century, Texas and Mexico suffered a serious loss in the death of Don José Galvez, their excellent viceroy. Such was his popularity in New Spain, and such the tyranny of the parent-government, that in 1797 the people rose up to the number of one hundred and thirty thousand, and proclaimed him king of Mexico. Galvez preferred his loyalty and honor to his ambition, and, mounting his horse, rode out among the mob, attended by his guard, and dispersed them, crying, "Long live his catholic majesty Charles IV.!" A like pronouncement occurred in a distant part of the country. He sent against the disaffected ten thousand troops, and dispersed them, having four of the ringleaders beheaded. For all this, Galvez received the applause of the Spanish court—and shortly after was poisoned! He was too much beloved in New Spain to be relied on as a servant of such a tyrant.*

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* Pike, Appendix to Part III., p. 49.

CHAPTER X.

PHILIP NOLAN had been engaged in trade between San Antonio and Natchez since the year 1785. This trade was not legitimate, but was perhaps winked at by the Spanish authorities. In October, 1800, he started on another expedition into Texas, having with him a company consisting of twenty men. Among them was Ellis P. Bean, then a young man seventeen years of age.* Nolan had, in a previous journey, procured from Don Pedro de Nava, commandant-general of the northeastern internal provinces of Mexico, a passport; yet, as the present expedition was well known at Natchez before he set out, Vidal, the Spanish consul at that place, entered his complaint before Governor Sargent and Judge Bruin, asking that the company be arrested and detained. Nolan was brought before these authorities, and, having exhibited his passport, he was permitted to proceed.† The company crossed the Mississippi at Walnut Hills (*Nogales*), and took a westerly course for the Washita. In the meantime, Vidal the consul sent an express to the Spanish commandant at Washita to stop them. They had travelled some forty miles from the Mississippi, when they met the Spanish patrol of fifty men. These, seeing Nolan's determined movements, gave way and let the company pass. Nolan, avoiding Fort Washita, continued his journey west, without any road, and without seeing any person. Occasionally they halted to kill provisions and refresh themselves. Before they reached Red river, three of the company (Mordecai Richards, John Adams, and John King) strayed off and got lost, but subsequently returned to Natchez. After hunting for them some days, the company resumed their journey. They passed around the head of Lake Bistineau and crossed Red river, four miles from which they came to a Caddo village, where they met with a kind reception, and obtained some fine, fresh horses. In six days more they crossed the Trinity, and immediately entered upon an immense rolling prairie, through which they advanced till they came to a spring, which they named the *Painted spring*. This they did because at its head there stood a rock, painted by the Camanches and Pawnees, in commemoration of a treaty of peace once celebrated at the spring by those tribes. In the vast prairie around them they could find no other fuel than dried buffalo-dung. These animals, though once numerous there, had left, and for nine days the company were compelled to subsist on the flesh of *mustang* horses. By this time they reached the Brasos, where they found plenty of deer and elk, some buffalo, and "wild horses by thousands." Here they built an enclosure, and caught and penned about three hundred head of mustangs. At this place they were visited by two hundred Camanche Indians, and, upon invitation, the company went with them to visit their chief, Necoroco, on the south fork of Red river, where they remained a month. During they stay they were visited by other tribes, and made many friends. They returned at length to their old camp, accompanied by an escort of the natives, who managed to steal eleven head of the domesticated or gentle horses of the company, and, in fact, all they had that could be employed in capturing mustangs.*

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* See Bean's Memoirs, Appendix No. 2.

† Winthrop Sargent was appointed governor of the Mississippi territory in 1798, and Peter B. Bruin one of the judges of the superior court.—*Valley of the Mississippi*, vol. ii., pp. 342–344.

The company at this time consisted of Captain Nolan,† five Spaniards, eleven Americans, and one negro. As they could do nothing without their horses, Captain Nolan, E. P. Bean, Robert Ashley, Joseph Reed, David Farro, and Cæsar the negro, volunteered to go after them. They went on foot, and, after a march of nine days, found four of the horses, under the care of as many Indian men and some women; the other horses, the Indians said, had been taken on a buffalo-hunt by the balance of their own party, eight in number, and that they would return that evening. They further stated that the one who had stolen the horses was a one-eyed Indian, whom they would know by that mark. In the evening the Indians came in, bringing the horses, and an abundance of meat. The whites tied the one-eyed thief, and guarded him till the morning; they then took from him provisions for their journey, and returned to their camp in four days.

While they were here, resting themselves preparatory to engaging in the chase of mustangs, a troop of one hundred and fifty Spaniards, sent out by Don Nimesio Salcedo, commandant-general of the northeastern internal provinces, attacked their camp. About one o'clock at night, on the 22d of March, 1801, they came upon the outpost, consisting of one American* and five Spaniards, engaged in guarding the horses, and took them prisoners. The enemy immediately surrounded Nolan's camp, but remained quiet till day broke. The tramping of the horses aroused the Americans, then consisting of only twelve persons, who, seeing the danger, prepared for defence. They had built a square enclosure of logs, to keep off the Indians, in which they slept. At break of day the Spaniards commenced their fire, which was returned from the log-pen. In ten minutes Captain Nolan was killed by a ball in the head. Bean then assumed the command, and continued the fight. By nine o'clock, A. M., two more of the Americans were wounded. The Spaniards had brought with them on a mule a swivel, with which they fired grape. At this time, Bean proposed to his men to charge on this piece of artillery, but the majority opposing, it was not done. It was next proposed to retreat, which was agreed to. Each one filled his powder-horn, and the remaining ammunition was placed in charge of the negro Cæsar. They left the enclosure, and soon gained a small creek. While here, engaged in fighting, Cæsar and one of the wounded men stopped and surrendered. The Americans continued the retreat half a mile without further loss, though under a constant fire from the enemy on both sides. Here Bean and his party took refuge in a ravine, and for a short time the fight ceased. At length the enemy began to close in upon the ravine, but were soon driven back. About two o'clock in the afternoon, the Spaniards hoisted a white flag. An American, with the Spaniards, was appointed to hold a parley with Bean. They said all they desired was, that the Americans would return to their own country, and cease to come among the Indians in Texas.

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* Bean's Memoirs, p. 13, MS. Colonel Bean informs us here of a custom of the Camanches. Once a year, in the new moon in June, they assemble at the residence of their *great* chief, on the Salt fork of the Colorado, where he causes all their fires to be extinguished, and furnishes each sub-tribe with new fire for the next year. Each one then supplies himself with rock-salt, and the hunting-parties go out in a different direction to hunt on new ground for the following season.

† The following letter by General Wilkinson, written in cipher to Governor Gayoso de Lemos, may throw some light upon a suspicion that Nolan's expedition was connected with the subsequent mysterious conduct of the writer:—

"NATCHEZ, *February* 6, 1797.

"This will be delivered to you by Nolan, who, you know, is a child of my own raising, true to his profession, and firm in his attachments to Spain. I consider him a powerful instrument in *our* hands should occasion offer. I will answer for his conduct. I am deeply interested in whatever concerns him, and I confidently recommend him to your warmest protection.

"I am evidently your affectionate

"WILKINSON."

"*Es copia.* M. GAYOSO DE LEMOS."—*Annals of Congress.*

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* As the Mexicans use the term *Americanos* to designate the people of the United States, its English synonym will be so employed in this work.

The Americans agreed to do this; and a treaty was made, in which it was stipulated that both parties should return to Nacogdoches in company—the Americans not to surrender, however, as prisoners, but to retain their arms. They soon reached the Trinity, which was overflowing its banks. Bean, who was naturally expert in contrivances, soon had constructed of a dry cottonwood-tree a small canoe, and managed to carry over all the Spanish troops, leaving behind their arms and commander.

The American leader now proposed to his men to throw the arms into the river, start the commander over, and again march for the prairies; but, relying on the promise of a speedy return to the United States, they declined doing it. In a few days they all reached Nacogdoches, where they remained a month, waiting for an order from Salcedo, at Chihuahua, to return home.

But, instead of their expected liberty, the Americans were severally put in irons and marched off to San Antonio. Here they were kept in prison three months; they were then sent to San Luis Potosi, where they remained incarcerated for sixteen months. The prisoners, being without clothes, thought of means to procure them. Bean and Charles King gave themselves out as shoemakers, and were permitted to work at their prison-doors, by which means they earned some money. Then they were started off to Chihuahua. Arriving at Saltillo, they were handed over to another officer, who treated them with more humanity; he took off their irons, and permitted them, at places where they would stop, to walk about and look at the buildings.*

As we shall again hear of these prisoners, and especially of Bean, we will not at present follow them in their sufferings, but return to other events of more importance.

Notwithstanding the Spaniards at Natchez were required, by the treaty of October, 1795, to surrender that place to the United States within six months after the exchange of ratifications,† yet under various pretences they refused to do it. The true reason was, that, from the depredations committed on American commerce by France, they expected a war between these two powers; and as Spain was in alliance with France, she wished to hold these posts above the thirty-first parallel of latitude as a protection to her possessions at New Orleans. Ultimately, however, partly by force and partly by agreement, the Spanish garrison was withdrawn, and the territorial government of Mississippi organized.

The French government had long desired to recover the possession of the colony of Louisiana, and had so informed the king of Spain. In October, 1800, the two governments entered into a *secret treaty*, by which the French republic engaged on its part to procure for the infant duke of Parma, a grandson of Ferdinand VII. of Spain, an augmentation of territory sufficient to raise the population of his estates to one million of inhabitants, with the title of king; this augmentation to consist of Tuscany, or the three Roman ecclesiastical provinces, or any other Italian provinces that would form a rounded estate. And the Spanish monarch engaged on his part to recede to the

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* Bean's Memoirs, p. 23, *et seq.*, MS. This, the first conflict between the people of the United States and Mexico, in which twelve men contended with some success for nine hours against one hundred and fifty cavalry, was calculated to make an *impression* on the people of Mexico not to be forgotten.

† Elliot's Diplomatic Code, vol. i., art. ii., p. 392.

French republic, six months after the latter had complied with her engagement, the province of Louisiana, with the same extent that it then had in the hands of Spain, and had while in the previous possession of France, and such as it then ought to be in conformity with the treaties subsequently concluded between Spain and other states.*

This treaty was unknown for some time in the United States; and, in fact, when the minister of the latter power applied to Spain to purchase the island of New Orleans, he was informed that Spain had already transferred it to France, and that the United States must negotiate with that republic for such territory in that quarter as they wished to acquire.†

The peace of Amiens, contracted on the 25th of March, 1802, between Great Britain, France, Spain, and Holland, was seized upon by the Spanish governor of Louisiana, as a pretext for violating the treaty between Spain and the United States, in closing the port of New Orleans, without appointing any other suitable place on the Mississippi as a deposite for American commerce.‡ The news of this interdict produced considerable excitement among the people on the upper tributaries of this great river. The subject was immediately laid before Congress by President Jefferson. It was believed, however, that this interdict of the Spanish authorities at New Orleans was without the knowledge or approval of the king of Spain; and so it afterward appeared, as the king disavowed the act, and caused the port of New Orleans to be reopened.

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* Elliot's Diplomatic Code, vol. ii., p. 197.

† American State Papers, vol. xi., p. 62.

‡ See the proclamation of Governor Morales, dated October 16, 1802. — *American State Papers*, vol. iv., p. 483: Boston, Thomas B. Waite, third ed., 1819. Dr. Monette (*Valley of the Mississippi*, vol. i., p. 548) seems to have been misled in placing this occurrence in the time of the elder Adams's administration. The troops sent to the mouth of the Ohio were to operate against Spain as the ally of France, in case of a war with the latter power.

The object of France in repurchasing Louisiana is not certainly known, though it is believed to have been done with a view to sell it to the United States, and thus raise a fund to carry on her wars. At that time, Spain was completely under the control of France, and was compelled to oblige her in the cession of this noble province. Yet it is believed, as a part of the history of that transaction, that there was a secret understanding between the two powers that France should not transfer Louisiana to the United States. However this may be, the want of money on the part of France, and the fact that on the 14th of March, 1803, hostilities had again commenced between her and Great Britain, hastened a sale. The United States, having learned through Spain that France had the disposal of the province, sent instructions to Messrs. Monroe and Livingston, the American embassadors at Madrid and Paris, to purchase, not the whole of Louisiana, but only the island of Orleans and Florida. The great men of the United States did not, at that day, see any necessity for acquiring that vast territory on which has since grown up so many noble states, and given homes to so many millions of inhabitants. But fortune did more for the young republic than her own statesmen: Bonaparte would sell it *all* together.[*] Just as the American minister arrived in Paris, there appeared in a London paper a proposition that the British government should raise fifty thousand men and take New Orleans; also, in reference to the troubles in the United States concerning the navigation of the Mississippi, and the probabilty that they would endeavor to purchase the country, it was intimated that some two millions of dollars had been distributed among the high officers of France as bribes. Bonaparte, then first consul, saw these articles, and determined, on the one hand, that the province should not fall into the hands of the English; and, on the other, that Marbois, whose integrity was unquestionable, and not Talleyrand, should conduct the negotiation. The treaty was soon made and ratified.* Spain had, ever since the secret transfer of the province to France, kept the possession; and, when informed of the sale to the United States, was indignant. She could not deny that France had paid the consideration agreed upon. The duke of Parma had, by treaty, been placed in possession of Tuscany, and declared king of *Etruria*. Yet the secret understanding was violated; and, what was of the most consequence, the barrier between the United States and her American possessions was removed, and a claim would be presented by the former to all the country east of the Rio Grande. Spain therefore protested; but, overawed by Bonaparte, she withdrew her protest, and gracefully declared that she did so out of good feeling toward the United States.†

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[*] "M. Talleyrand asked me this day, when pressing the subject, whether we wished to have the whole of Louisiana. I told him, no; that our wishes extended only to New Orleans and the Floridas; that the policy of France, however, should dictate.

"PARIS, *April* 11, 1803."

"PARIS, *May* 13, 1803.

"We found, as we advanced in the negotiation, that M. Marbois was absolutely restricted to the disposition of the *whole*; that he would treat for no less portion, and that, of course, it was useless to urge it. On mature consideration, therefore, we finally concluded a treaty on the best terms we could obtain for the whole."—*Messrs. Livingston and Monroe to the Secretary of State* (*Elliot's Diplomatic Code*, vol. ii., p. 583, *et. seq.*)

The ceremony of the delivery and transfer of the territory of Louisiana from Spain to France, and from the latter to the

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* Elliot's Diplomatic Code, vol. i., p. 109. April 30, 1803.

† American State Papers, vol. v. Letter from Don Pedro Cevallos to Mr. Pinkney, February 10, 1804. Annals of Congress (eighth Congress, first session), p. 1,268. Pinkney's letter to the secretary of state, dated Madrid, August 2, 1803: "He [Cevallos] said that, in the cession of Louisiana by Spain to France, there was a secret article that France should never part with Louisiana, except to Spain; that if she (France) should ever wish to dispose of it, Spain should always have the right of pre-emption: from which he argued that France had not the right to make such cession without the consent of Spain."

United States, took place in December, 1803, in the city of New Orleans.*

In the debates in the United States Congress, on the question of the appropriations to pay the purchase-money for Louisiana, we can perceive the germ of a sectional controversy between the north and the south, which has since assumed an importance hardly consistent with that patriotic feeling which should exist between the distant portions of a great confederacy. Some of the arguments and predictions of the members in that discussion are interesting:—

Samuel White (senator from Delaware): "As to Louisiana, this new, immense, unbounded world, if it should ever be incorporated into this Union—which I have no idea can be done but by altering the constitution—I believe it will be the greatest curse that could at present befall us; it may be productive of innumerable evils, and especially of one that I fear even to look upon. Gentlemen, on all sides, with very few exceptions, agree that the settlement of this country will be highly injurious and dangerous to the United States. . . . . Louisiana must and will become settled if we hold it, and with the very population that would otherwise occupy part of our present territory. . . . . And I do say that, under existing circumstances, even supposing that this extent of territory was a desirable acquisition, fifteen millions of dollars was a most enormous sum to give."†

James Jackson (senator from Georgia): "The frontier people are not the people they are represented; they will listen to reason, and respect the laws of their country; it can not be their wish, it is not their interest, to go to Louisiana, or see it settled, for years to come. The settlement of it at present would part father and son, brother and brother, and friend and friend, and lessen the value of their lands beyond all calculation. If Spain acts an amicable part, I have no doubt myself but the southern tribes of Indians can be persuaded to go there. It will be advantageous for themselves: they are now [1803] hemmed in on every side; their chance of game decreasing daily; ploughs and looms, whatever may be said, have no charms for them; they want a wider field for the chase, and Louisiana presents it. Spain may, in such case, discard her fears for her Mexican dominions, *for half a century at least.* . . . . . *In a century*, sir, we shall be well populated, and prepared to extend our settlements; and that 'world of itself' [Louisiana] will present itself to our approaches."*

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* American State Papers, vol. v., p. 19, *et seq.*

† Annals of Congress (eighth Congress, first session), p. 38.

URIAH TRACY (senator from Connecticut): "We can hold territory; but to admit the inhabitants into the Union, to make citizens of them, and states, by treaty, we can not constitutionally do: and no subsequent act of legislation, or even ordinary amendment to our constitution, can legalize such measures. If done at all, they must be done by universal consent of all the states, or partners to our political association. And this universal consent, I am positive, can never be obtained to such a pernicious measure as the admission of Louisiana—of a world, and such a world!—into our Union. *This would be absorbing the northern states, and rendering them as insignificant in the Union as they ought to be, if, by their own consent, the measure should be adopted.*"†

JOHN RANDOLPH (representative from Virginia): "Is not the country west of the Mississippi valuable, since it affords the means of acquiring Florida from Spain? He had no doubt of the readiness of Spain to relinquish Florida . . . . for a very small portion of the territory which we claimed in virtue of the treaty under discussion. . . . . This boundary would embrace within the limits of Louisiana some very valuable dominions of Spain, including the rich mines of St. Barbé, and the city of Santa Fé, the capital of New Mexico. On the other hand, in virtue of her settlement of the Adaes, Spain might claim the country as far east as the river *Mexicana* [Sabine], and to the highlands dividing the waters of the Del Norte river from those of the Mississippi. . . . In settling this important barrier, there were ample materials for the acquisition of Florida, still retaining to ourselves all the country watered by the Mississippi."*

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* Annals of Congress (eighth Congress, first session), p. 41.

† Ib., p. 58.

These indications of public sentiment at that day show that the northern states could not see with patience the power and population of the Union extending westward; that even the friends of the west had no adequate conception of the future growth of that country; and that the strongest friends of the measure only wanted the region west of the Mississippi as a trading-capital with which to purchase Florida of Spain. Mr. Jackson thought "a century" hence would be soon enough to think of settling Louisiana. Half that century has gone by, and the settlements are on the Pacific! In all growing countries, the people are ahead of their statesmen; in countries declining, it is believed to be the reverse.

No sooner, however, had the United States begun to realize the great fact that they were owners of Louisiana—and, as a part of it, Texas—than they began to inquire into the geography and capabilities of their new purchase. Accordingly, early in 1804, the committee on commerce and manufactures, in Congress, were instructed to inquire into the expediency of an exploration of the country. A year previous, Clark and Lewis had been despatched up the Missouri; but the Arkansas,

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* Annals of Congress (eighth Congress, first session), p. 486.

Red river above Natchitoches—in fact, the great southwest—were unknown to the statesmen of the United States. The above-named committee, in their report, speak of Adaes as the "capital of the province of Texas, and situated on the river Mexicana"*—when there was not at that time, perhaps, a single person in the place, and had not been for fourteen years!

The republic, however, had no sooner got fairly seated in her southwestern capital, than questions arose between her and Spain touching the boundaries of Louisiana, both on the east side and on the west. President Jefferson, by his proclamation, had declared the bay and river of Mobile a district for the collection of duties. Spain protested against this,† and a collision seemed at hand; but, to avoid it, a special embassy, consisting of Messrs. Monroe and Pinkney, was despatched to Madrid to treat with the Spanish government, not only on the subject of the eastern and western boundaries, but likewise on other differences between the two countries. The instructions to the American ministers proposed that Spain should relinquish the Floridas, in consideration of which all that portion of Texas lying between the Sabine and Colorado rivers should remain neutral ground, not to be settled or granted by either power for —— years; and the United States to pay to Spain a sum not exceeding two millions of dollars, out of which the amount due from the latter to American citizens should be deducted. Such were the instructions of the 15th of May, 1804. The number of years in which the above-named country should be a *neutral ground* was not to exceed twenty, at the end of which time the two powers were to adjust the boundary by another treaty. But, on the 8th of July following, the American ministers were instructed to propose the territory between the Colorado and the Rio Grande as the *neutral ground.*[*] The discussion, which extended over five months, resulted in nothing! The history of the first settlement of Texas by France and Spain, and of the subsequent occupancy of the country by both nations, was as fully discussed as the slender materials before them would permit.[†]

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* Annals of Congress (eighth Congress, first session), p. 1124. Report of March 8, 1804.

† Proclamation of May 20, 1804.—*Ib.*, p. 1234. Also, letter of the marquis de Casa Yrujo.—*Ib.* (eighth Congress, second session), p. 688.

Spain was at that period still under the influence of France. Manuel Godoy, a soldier of fortune, was omnipotent at the court of Madrid, and equally obsequious to Bonaparte. The latter, having an eye upon Spain and her possessions in America, became warmly enlisted in her behalf.

In the meantime, Spanish troops were gathering in Texas, and moving toward the disputed boundary on the west of the Mississippi. The soldiers and inhabitants having been withdrawn from the Adaes, the nearest settlement in Texas to Louisiana was Nacogdoches. When the Spanish authorities in the former province learned of the transfer of the latter to the United States, they assumed a jealous and exclusive conduct, forbidding intercourse, and endeavoring, in anticipation of the adjustment of a boundary-line, to extend their authority as near to the Mississippi as possible.

In 1805, Colonel Freeman, a gentleman of science, who had been despatched by the president to explore Red river, was arrested by the Spanish troops, and sent back. About the same time, three other Americans, named Shaw, Irvine, and Brewster, were taken prisoners within twelve miles of Natchitoches, and conducted under a guard to San Antonio. Again, several slaves, decoyed away by Spaniards, and escaped from

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[*] Annals of Congress (eighth Congress, second session), pp. 1338, 1346.

[†] This valuable historical correspondence may be found in the twelfth volume of "American State Papers," and in the Appendix to the "Annals of Congress" (eighth Congress, first session).

Louisiana, had sought and found an asylum at Nacogdoches.* Again, at a village of the Caddoes, a short distance above Nachitoches, the American flag was displayed. The Spanish troops directed the Americans to take it down, which the latter refused, whereupon the troops tore it down themselves. And, yet again, Lieutenant Zebulon M. Pike, of the United States army, having been ordered to explore the sources of the Mississippi, became lost, and was arrested, taken to Chihuahua, and deprived of his papers. These were some of the results of Spanish non-intercourse—of the royal exterminating order of Philip II. In addition to these specific cases of interruption, there was manifested a general disposition to do mischief, and encroach upon the United States, along the whole frontier, from the seacoast to the extreme settlements and trading-posts up Red river.

These ancient settlements on the Red river, and along the frontier, require some consideration. The first settlement above Natchitoches was made at the mouth of Boggy river, on the east bank of Red river, in 1750, by a trading-company, under the direction of M. François Hervey, who had a permit for that purpose from the governor of Louisiana. This point, near the lower boundary of Lamar county, is about five hundred and forty miles above Natchitoches, by the course of the river. The company not prospering, Hervey removed, some two years after, forty miles lower down, to the ancient Caddo village, on the Texan side of the river. Here he engaged in trade, being joined by Sergeant Beson, who went there with some ten or a dozen soldiers under his command. They built a fort, which they named *St. Louis de Carloretto*, erected a flag-staff, and mounted two small pieces of artillery. Several French families settled there, and cultivated corn, tobacco, and garden-vegetables. This was in Red river county. A creek in that county perpetuates the name of this worthy commandant. He was succeeded in the command by the elder Grappe, and the latter by Sergeant Closo. This detachment and settlement continued there until about the year 1770, when, Louisiana having passed into the hands of Spain, no attention was paid to the settlers, and their little colony ceased to thrive. In the meantime, their children had been growing up without education or the advantages of society. To remedy this, although the country was fertile and pleasant, and capable of becoming rich and populous, they broke up the place, and removed to the vicinity of Natchitoches.

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* American State Papers, vol. v., pp. 144, 145.

About the time of the erection of Fort St. Louis, a settlement was made at Yattasse Point, on Bayou Pierre, about seventy miles above Natchitoches, under the direction of M. Verge, who carried on an extensive trade with the Carankawaes, Keechies, Yattassees, and other Texan Indians.*

At about the period these settlements were formed on Red river, Captain Bourne, the commandant at Natchitoches, established a trading-house on the south side of the Sabine, some fifteen miles distant from the river, and about one hundred and thirty miles northwest of Natchitoches. This place, known as the *Dout*, seems to have been removed to the east bank of the Sabine, near its head, and located in a prairie, where the remains of the fort could be seen for many years after.

All these settlements made by the French, being followed by the "family compact" of the house of Bourbon, were permitted to take their course. And in this condition they were found by the Americans when Louisiana came into their hands. The United States desired that they should remain *in statu quo* until the two nations could agree upon a boundary. But the policy of Spain was different. She regretted the loss of Louisiana; and her high functionaries—for instance, the baron de Bastrop and the marquis de Casa Calvo—reported, wherever they went, that the disputed territory would soon be in possession of the Spaniards.* This, among the uninformed, produced considerable effect.

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* American State Papers, vol. v., p. 125, *et seq.*

Spain was at this time really hostile to the United States. Her ships-of-war had ravaged their commerce to an alarming extent in both the Mediterranean and West India seas.† She had levied a tax of twelve per cent. upon the commerce of Mobile river;‡ and was engaged in a constant pilfering warfare along the boundary-line at Fort Adams. To sustain herself against the forces she expected would be opposed to her, to repel these assaults upon the Union, she was strengthening her posts by reinforcements. Four hundred Spanish troops were ordered from Havana to Pensacola, three hundred more to Baton Rouge, and eight hundred to Texas.‖ The United States, not wishing to commence an aggressive war, were nevertheless determined that the Spanish forces should not cross the Sabine river. Accordingly, orders were given by the secretary of war, on the 20th of November, 1805, to Major Porter, commanding the American troops at Natchitoches, to prevent such aggression.§

The new governor of Texas, Don Antonio Cordero, arrived at Nacogdoches in the first days of October, 1805, having with him two companies of one hundred and ten men each. Five other companies had reached San Antonio, and were to advance east. Two other detachments, of about fifty men each, were stationed, one at Matagorda and another above the mouth of the Trinity, near the present town of Liberty, where they fortified themselves with pickets.* One of the companies that came with Governor Cordero to Nacogdoches was despatched to reinforce the station above the mouth of the Trinity.† A small detachment, under the command of Ensign Gonzalez, was sent forward to the old post at Adaes, where he took his position. Another detachment was sent down in the vicinity of Opelousas, to patrol that country. Fortifications were raised at Nacogdoches, and the place provisioned and put in a state of defence. Three companies were stationed at Spanish Bluff (a few miles below Robbins's ferry), on the east bank of the Trinity.‡ But the object of Spain was, not only to obtain military possession of the country in dispute, but to settle it. Several hundred families came into Texas by way of San Antonio; and a large number, that shipped from Spain for Matagorda, put in at the Canary islands.‖

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* American State Papers, vol. v., pp. 102, 148.

† Ib., pp. 52, 92. ‡ Ib., p. 96. ‖ Ib., p. 95. § Ib., vol. x., p. 493.

In addition to these arrangements, the old San Antonio road was put in order; and guards were stationed at each of the crossings of the Trinity, Brasos, and Colorado. Previous to this period, the travel upon the above road was small. The Spaniards, to avoid the Indians, went by La Bahia; thence on the La Bahia road to the old road at Robbins's ferry. Besides, most of the travel was for contraband purposes: hence, new roads, called *contraband traces*, were best known and most used.

The station at Spanish Bluff was made a general storehouse for the army of operations. A large number of beeves and horses, and a considerable magazine of flour were collected there. Several of the new settlers had established *ranches* on the east bank of the river, and had the benefit of a priest to watch over their spiritual affairs.

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* The station near the present town of Liberty was called *Arkokisa*, the Indian name of the river. The troops and supplies for this station came by La Bahia, and marked out the route known as the *Atasca sito* road — so termed from its boggy location.

† American State Papers, vol. v., p. 146.

‡ This place was known by the name of *Trinidad*. *Spanish Bluff* is used in the text because it is the only name by which the site is now known.

‖ American State Papers, vol. v., pp. 148, 149.

With these troops and immigrants, came over to Texas, on a pastoral visit, Don Primo Feliciana Marin, bishop of New Leon, to whose diocese the province of Texas appertained. He placed the affairs of the church in order, and made a circumstantial report of its spiritual condition.*

At the very commencement of the difficulties between Spain and the United States, the viceroy of Mexico, Itturgaray, and Salcedo, the commandant-general of the northeastern internal provinces, held a consultation, and determined, and so ordered that, if the Americans crossed the Arroyo Honda, their forces should attack them. With this view, Simon D. Herrera, governor of New Leon, was appointed to take command of the troops in the field; and Antonio Cordero, governor of Texas, the second in command. Herrera was a native of the Canary islands, and had served in the infantry in France, Spain, and Flanders. He had travelled in the United States during the presidency of General Washington, and entertained a high veneration for his character. He possessed a thorough knowledge of men, was engaging in his manners and conversation, spoke the French language with fluency, and likewise a little English. Altogether, he was a polite gentleman, of affable demeanor, and an ardent lover of liberty. He had married an English lady at Cadiz, by whom he had several children.

Governor Cordero, whose residence was at Bexar, was a gentleman of considerable learning, and spoke the Latin and

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* American State Papers, vol. xii., p. 38. The bishop also visited Natchitoches, and was treated by Captain Turner, then in command there, with the respect due to his profession.—*Pike's Expedition: Appendix*, p. 4.

French languages fluently. He was an old soldier, and one of the officers sent out from Spain, in 1772, to discipline the Mexican troops, and carry out those reforms recommended by Don José Galvez. He was popular as a governor, and, though he had never married, knew as well how to please as the governor of New Leon.*

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* Pike's Expedition, pp. 268, 269.

CHAPTER XI.

On the receipt of the order of the secretary of war, of the 20th of November, 1805, Major Porter made known to Governor Cordero, at Nacogdoches, the limit beyond which he could not pass, and required of him an assurance that the Spanish troops would not cross the Sabine. The governor answered the letter on the 4th of February, 1806, refusing the assurance demanded. In the meantime, however, on the 1st of February, Major Porter despatched Captain Turner, with sixty men, to the Adaes, to compel any Spanish force he might find there to withdraw beyond the Sabine; but directed him to avoid the spilling of blood, if it could be prevented. Captain Turner reached the Adaes before noon on the 5th. The Spanish patrol having given notice of Turner's approach, he found their men in some confusion. They saddled, mounted, and formed. A conference was held; and, after a good deal of altercation, Ensign Gonzalez consented to retire beyond the Sabine, and Captain Turner gave him three hours to prepare to march. He begged for time to hunt his horses, but was informed that he could send back two or three of his men for them; so he set out on his march. The next day Captain Turner advanced toward the Sabine, and, three miles from the Adaes, overtook the Spanish ensign, who excused himself from proceeding on account of his lost horses. Captain Turner, not wishing to trust him further, took his written promise to retire beyond the Sabine.*

The Spanish authorities, on receiving intelligence of this expulsion, hastened their preparations to march to the disputed point. Governor Herrera, with his quota of thirteen hundred men from New Leon, and Governor Cordero, with a smaller force, advanced to the Sabine, and crossed that river about the first of August, 1806. Colonel Cushing, then in command at Natchitoches, addressed Governor Herrera a letter, warning him that if he did not retire beyond the Sabine, he would be considered an invader of the territory of the United States. This letter reached Herrera at the plantation of Mr. Prudhomme, a few miles only from Natchitoches. On the next day (August 6th), Herrera replied, charging the government of the United States with usurping the territory of Spain, but stating that his orders were not to break the good understanding which subsisted between the two countries.

In the meantime, Governor Claiborne had called out the militia of Louisiana, and reached Natchitoches with a considerable reinforcement about the 25th of August. He likewise addressed a letter to Governor Herrera, in which he enumerated many evidences of an unfriendly feeling on the part of Spain toward the United States, and assured him that, if he persisted in his aggression on the east of the Sabine, he might readily anticipate the consequences. Governor Herrera replied on the 28th of August, denying and excusing the charges of unfriendly feeling on the part of Spain.

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* Annals of Congress (ninth Congress, second session), p. 914. This document is worth recording:—

"At the Adaes, *February* 6, 1806.

"I, José Maria Gonzalez, ensign, commandant of his most catholic majesty's troops on this side of the river Sabinas, hereby have agreed with Captain Edward D. Turner, captain in the United States army, to return all said troops of his catholic majesty to the other side of the said river Sabinas, as soon as my horses will permit it, or in five days, or at farthest six, and to take my march this day; and I also oblige myself not to send any patrols on this side of the river Sabinas.

"J. M. Gonzalez, *Ensign.*

"Witness, John D. Duforest."

By this time, General James Wilkinson arrived with additional forces at Natchitoches, and assumed the command. On the 24th of September, he addressed to Governor Cordero a final and decisive letter, and, in a tone which could not be misunderstood, demanded the immediate withdrawal of the Spanish troops to the west side of the Sabine. This letter was directly transmitted to General Salcedo: but, in the meantime, the Spanish forces fell back to the right bank of the Sabine, where they took their position; and, on the 22d of October, General Wilkinson set out on his march from Nachitoches, and established his quarters on the left bank of that river. The two armies being separated only by the stream, and the commander on each side acting under positive orders from his government, seemed to render a conflict unavoidable. Herrera called a council of war, laid before them the orders of the viceroy and the commandant-general, and asked their advice. They were unanimous in the opinion that they should commence a predatory warfare, but avoid a general engagement. Herrera, in opposition to this view of the council, entered into an agreement with General Wilkinson, that, until the question of boundary between the two governments was settled, all the territory between the Sabine and the Arroyo Honda should be a *neutral ground*, not to be occupied by either party: and thus a conflict was avoided. The agreement was approved by both governments, and General Herrera actually received the thanks of the viceroy for his conduct in the affair!*

The fortunate conclusion of this campaign, together with the fact that Spain recognised the doctrine that the flag protected the cargo, to which may be added the fearful war then ravaging Europe, produced a temporary calm in the relations between this power and the United States.

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* Annals of Congress (ninth Congress, second session), p. 918, *et seq.* Pike's Expedition, p. 270.

The expedition of Captain Zebulon M. Pike, of the United States army, has been referred to. Under instructions from President Jefferson, he had been successfully engaged, between the 9th of August, 1805, and the last of April, 1806, in exploring the sources of the Mississippi river. In the middle of July, of the latter year, he set out again, under orders from General Wilkinson, to make certain friendly arrangements with the Camanche Indians, and to explore the Arkansas and Red rivers.* The company consisted of twenty-three persons, among whom was Dr. John H. Robinson, a gentleman of science, who, though not belonging to the army, joined the expedition as a volunteer.

While the party had been making preparations at St. Louis to depart, information of the intended expedition was conveyed by the Spaniards at that place to Captain Sebastian Rodriguez, commandant at Nacogdoches, by whom it was transmitted to Governor Cordero, and thence to the seat of government; and an expedition was immediately set on foot to intercept Pike. It was placed under the command of Lieutenant Don Fecunda Malgares, and consisted of one hundred dragoons of the regular service, and five hundred mounted militia. They set out from Santa Fé with more than two thousand horses and mules, and six months' provisions. They descended Red river six hundred miles, and then passed over to the Arkansas, making friends of the different tribes of Indians, and giving to their chiefs commissions, medals, flags, horses, and other presents. They also arrested and took with them on the route all the

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* Pike's Expedition, pp. 107, 108, 111.

American traders they found, left them on the river above Natchitoches, and returned to Santa Fé in October, without having met Captain Pike, who did not cross their path until they had returned.[*]

Captain Pike, in this expedition, appears to have been misled in endeavoring to follow the trail of the Spaniards, and got lost. He, however, made his way to the Rio Grande, where his party was found by the authorities of New Mexico, about the beginning of the year 1806, and conducted to Santa Fé.[†] Here they were treated kindly by Governor Allencaster, but deprived of important papers, and then sent under an escort to General Salcedo, the commandant-general, at Chihuahua.[‡] After some detention, Captain Pike and a portion of his company were despatched to Natchitoches, by way of San Antonio, accompanied by an escort.

On his return to the United States, Captain Pike published a journal of his expedition, with a copious appendix, giving a description of the country, the inhabitants, their manners, and love of independence, together with an account of the mines, productions, and resources, of the different provinces. This work came before the American public at a time when Spain had fallen, and the crown of her sovereign was at the disposal of Bonaparte. It imparted to the adventurers in the United

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[*] Pike's Expedition, p. 142.

[†] At Santa Fé, Captain Pike found Solomon Colly, one of the men captured with Bean. He was kept at Santa Fé as a prisoner. As the captain was leaving, Colly came to him, with tears in his eyes, and requested him not to forget him when he returned to the United States.—*Ib.*, p. 218.

[‡] Captain Pike also found at Chihuahua David Farro (or Fero), another of Bean's men. He had formerly been an ensign under Pike's father. The meeting was affecting. Farro, confined at St. Jerominie, had escaped, to have an interview. Captain Pike promised to do for him what he could, divided with him his purse, and they separated.—*Ib.*, p. 240. The old negro Cæsar, of Bean's party, was also living there. Captain Pike found him extremely communicative and useful.—*Ib.*, p. 247.

States new ideas and, excited in them a sympathy for the creoles of Mexico—who hated the French sincerely—which sympathy they desired only an occasion to manifest, by an invasion of New Spain.

At the close of 1806, Texas was in a more flourishing condition than it had been previously. The introduction of new settlers, the marching and display of so many troops, the presence of so many distinguished generals, and the introduction from Louisiana of considerable wealth, brought in by the immigrants hither in consequence of the transfer of that country to the United States—all these causes seemed to impart life and cheerfulness to the province. The regular military force in Texas was little short of a thousand men. Four hundred of these were stationed at Spanish Bluff, the contraband crossing of the Trinity; a hundred more at Robbins's ferry, on the same river; a hundred more at Nacogdoches; and nearly four hundred at San Antonio.*

At Nacogdoches, the commandant Rodriguez had been removed and sent to Chihuahua for trial, for visiting Natchitoches with the marquis de Casa Calvo; and Don Francis Viana was appointed in his place. The latter was an old veteran—one of the officers sent out from Spain with Colonel Cordero. He was a man of great frankness, but gave his opinions too freely for promotion.† He, however, kept a good watch over the king's interests.

In spite of guards and prisons, and even the fear of death, several Americans had settled along the San Antonio road, on both sides of Nacogdoches, and exhibited their nationality in the opening of productive farms. Among them, Messrs. Barr and Davenport, who had come to Texas toward the close of the last century, had a settlement two miles east of the Angelina; they also carried on business in the town; and, after the cantonment of the troops at Spanish Bluff, they established an extensive cattle-ranche on the east of the Trinity, below Robbins's ferry.

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* Pike's Expedition: Appendix, p. 34.

† Ib., p. 275.

Society at Nacogdoches, though not extensive, was good. Dinners, dances, and other social parties, were common and agreeable. The commandant, Captain Herrera, and Colonel Davenport, were the leading men. They kept up a correspondence with the United States, took newspapers, and toasted the king and the governor of Texas. The town then contained about five hundred inhabitants.

At the Spanish Bluff a considerable town was growing up. Many Mexican families had removed there; and the eastern slope of the Trinity valley, for some miles above and below the town, was covered with cattle and horses. The spiritual interests of the people, under the guidance of Father José Angel Cabaso, were duly carried for.*

There was a guard stationed at the Brasos—as there was at all the large rivers—and, what was of most importance, a ferry-boat, probably the only one in Texas.

San Antonio was in a flourishing state. True, the buildings were mostly mud-houses, yet the place was extensive. The troops were stationed on the east side of the river, near the Alamo, in the new parish of Valero, then under the care of Father Clemente Delgado. The old town had a separate curate. The missions below the town, having been secularized, were all unoccupied, except that of San José. These old missions, the work of other days, had long been the seat of hospitality, of refuge, and of prayer; but they had survived the brains that conceived and the hands that reared them, and stood, in 1806, as they still stand, in silent majesty, surveying the changes around them. Let no Vandal innovator disturb their solid proportions; but let them go down to the future, as monuments of the faith of the Franciscan fathers, and the works of their neophytes![*]

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* Pike, p. 273.

The population of Texas was, at this time, about seven thousand, of which some two thousand lived in San Antonio. This population was made up of Spaniards, creoles, and a few French, Americans, civilized Indians, and half-breeds. Their habits were wandering, the most of them being engaged in hunting buffaloes and wild horses. The former furnished them meat; with the latter they carried on a contraband trade with Louisiana. To check in some degree this rambling life, Governor Cordero restricted the hunting of buffaloes to a particular season of the year, and obliged every family to cultivate a certain quantity of land.

Society had been greatly improved in San Antonio by the officers of the army as well as the new settlers. Among the leaders of fashion and polite manners were, next to the governor, Father M'Guire, Doctor Zerbin, Captain Ugarte and his lady, and Colonel Delgado. These attended to the hospitalities of the town, and introduced among the inhabitants a suavity of manners and a fondness for social intercourse which served much to make San Antonio by far the most pleasant place in Texas. Too much time, however, was spent at cards. Yet at the governor's *levée* in the evening, or on the public square after supper, where the people, from the chief magistrate down, joined in the Mexican dance, there was great cheerfulness, elegant manners, and much interesting conversation.[†]

The people, with the exception of a few foreigners, were strictly catholics—the most of them zealously and sincerely so. A scene between Captain Pike and Father Guerra, at Albuquerque, as illustrative of this point, is too interesting to be omitted here. "We were received," says the captain, "by Father Ambrosia Guerra in a very flattering manner, and led into his hall; thence, after taking some refreshment, into an inner apartment, where he ordered his adopted children of the female sex to appear, when they came in by turns, Indians of various nations, Spanish, French, and finally two young girls, who, from their complexion, I conceived to be English. On perceiving that I noticed them, he ordered the first to retire, many of whom were beautiful, and directed these to sit down on the sofa beside me. Thus situated, he told me that they had been taken to the east by the Tetaus [Camanches], passed from one nation to another, until he purchased them, at that time infants, but they could recollect neither their names nor language; but concluding they were my countrywomen, he ordered them to embrace me, as a mark of their friendship, to which they appeared nothing loath. We then sat down to dinner, which consisted of various dishes, excellent wines, and, to crown all, we were waited on by half a dozen of those beautiful girls, who, like Hebe at the feast of the gods, converted our wine to nectar, and with their ambrosial breath shed incense on our cups. Some time after the cloth was removed, the priest beckoned me to follow him, and led me into his *sanctum sanctorum*, where he had the rich and majestic images of various saints, and in the midst the crucified Jesus crowned with thorns, with rich rays of golden glory surrounding his head; in short, the room being hung with black-silk curtains, served but to augment the gloom and majesty of the scene. When he conceived my imagination sufficiently wrought up, he put on a black gown and mitre, kneeled before the cross, and took hold of my hand, and endeavored gently to pull me down beside him. On my refusal, he prayed fervently for a few minutes, and then rose, laid his hands on my shoulders, and, as I conceived, blessed me. He then said to me, 'You will not be a Christian—oh, what a pity! oh, what a pity!' He then threw off his robes, took me by the hand, and led me out to the company smiling; but the scene I had gone through had made an impression on my mind too serious to be eradicated until we took our departure, which was in an hour after, having received great marks of friendship from the father."*

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[*] Pike: Appendix, p. 32. Bexar Archives, MS.

[†] Ib., p. 265, *et seq.*

The Indians, overawed by such a display of military force, had been quiet for some time. Along the San Antonio road none were to be found, except the Tonkawas, who numbered some six hundred warriors. They had lodges on the right bank of the Guadalupe and on the Brasos. They were miserably poor, and badly treated. Upon the evacuation of Louisiana by the Spaniards, many of the Indian tribes, still wishing to be under their jurisdiction, followed them over to Texas. Among these may be named the Alibamons (*Alabamas*), once a powerful nation residing on the banks of the river that bears their name, who have retreated and wasted away before the white race, until a small remnant of less than a hundred, including a kindred tribe, the Cushattas, are now surrounded on the banks of the Trinity, where they must shortly expire.

The principal commerce of Texas in 1806 was with Mexico, by way of Monterey and Monclova, and with New Orleans, by way of Natchitoches—the last being contraband. Their neighbors on the south had made some progress. The new province of *Santander* (now Tamaulipas) had been organized; and the capital of the same name (now San Fernando) was located forty miles from the gulf, and ninety miles south of the Rio

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* Pike, p. 222: Journal of March 7, 1807.

Grande, on the Conchos river. The country between that river and the Rio Grande being excellent for pasturage, some flocks and herds of horses, cattle, and sheep, were found scattered over it.

The population of Coahuila had in the meantime increased to seventy thousand, of which Monclova had thirty-five hundred; but Parras and Santa Rosa were each more populous. The *presidio* numbered about twenty-five hundred, mostly Indians, civilized at the four handsome missions erected there. The government kept here a powder-magazine for the supply of Texas.

The town of Paso del Norte was in a flourishing condition. It had numerous vineyards, which, producing fine wines, supplied New Mexico, Chihuahua, and even Coahuila. It also produced excellent wheat and other small grains. About two miles above the town, the authorities had constructed a bridge across the Rio Grande, which formed the great passway from New Mexico. From this bridge a canal was cut to the town, which irrigated all the farms below. In addition to this, immense flocks of sheep were raised here, and annually driven to the markets. Don Francisco Garcia, a wealthy merchant and planter; Don Pedro Roderique Rey, the lieutenant-governor; Father José Prado, the curate; and Captain Allencaster, the brother of the governor of New Mexico, were among the leaders of taste and good society in this place of luxurious living.

When we speak of society in Texas, at the beginning of the present century, allusion is made to the Spaniards, many of whom had come from the polite cities of the mother-country, or from the viceregal palace in Mexico. The priests generally were men of good classical reading, as were many of the officers in the regular service. These set a good example of taste and elegance, which, of course, produced its imitative effect on the creoles and civilized Indians. Thus was the fierce temper of a frontier life guided and moderated; and the people, having no care of politics, passed their leisure time in playing at games, in dancing, and in conversing, mostly upon one of the subjects of money, women, or horses.

On occasions of religious festivals, so frequent in every Roman catholic country, all ranks of the people participated with a hearty good will, though not always to their own edification, or to the credit of the church.

CHAPTER XII.

Don Francisco Miranda was the first advocate and martyr of freedom in Spanish America. His grandfather was once governor of the province of Caraccas, where he was born. In 1783, he visited the United States, and drank deep of the spirit of the American Revolution. He travelled over a good part of Europe on foot. In 1789, he was at St. Petersburg; and, though strongly pressed by the empress Catherine II. to enter her service, he felt an irresistible impulse that led him to join in the wars of France. Here he became attached to Petion, who had him sent on a mission to England, and gave him the appointment of major-general. After engaging in many battles in Belgium and Holland, he barely escaped falling into the hands of Robespierre, then of the directory, and again of Bonaparte. He devoted his time and great talents to the destruction of the Spanish power in America. It is not necessary further to trace the eventful history of his life, than to refer to the fact that he started an expedition in 1806 from New York to Central America, and then another in 1810, both of which were unsuccessful. Miranda had the countenance of Pitt in his expeditions: but it is equally true that the United States, although sympathizing deeply with their oppressed brethren under the Spanish yoke, afforded no aid and took no part in

Miranda's movements. The positive declarations of Presidents Adams and Jefferson on this point should be satisfactory.*

From the close of the American Revolution there were many choice spirits in Mexico, who were impatient for an occasion to achieve their independence. But the great mass of the people had been too greatly oppressed, and were too ignorant, at once to grasp and comprehend the great idea of civil liberty. They had a dim view of it only, which made them restless. The prospect of a war between the United States and Spain, from the year 1801 to 1806, excited the sympathy between the people of the United States and the Mexican creoles. From this grew up a correspondence, an understanding, between them, that at the outset of such a war the adventurers of the American Union were to invade Mexico, and join the creoles in sustaining their independence. At the head of this party in the United States was Aaron Burr. It was Burr's intention, in the event of such a war—then deemed almost certain—to establish an independent government in Mexico; and there is little doubt that, in this enterprise, he had the promised co-operation of General Wilkinson. To prepare for this state of things, and be nearer the scene of action, Burr had contracted for a large quantity of land on the Washita, and doubtless intended to make it his headquarters. In the event of there being no war, it is probable that Burr himself had but a confused idea of the course he would pursue. Perhaps, in the language of Commodore Truxton (who was a witness on Burr's trial), he would be on the frontier, and ready to move whenever a war took place. Burr may have intended to invade Mexico at all events—in fact, it is likely that he did—but his arrest, and the treaty between Wilkinson and Herrera, put an end to all his plans.*

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* This charge against the United States, of a violation of her neutrality, is made by Mr. Foote, in his "History of Texas," vol. i., chap. vii. Encyclopædia Americana, article *Miranda*.

Burr was descending the Mississippi, and on the 17th of January, 1807, surrendered himself at Bayou Pierre, with nine boats and a hundred men, "a majority of whom were boys, or young men just from school." Thus ended his enterprise, but not its effects.

Burr was brought to trial; the whole Union was aroused, and information eagerly sought. The public mind was directed to Burr, to his supposed plans, and to the country he proposed to invade. The adventurers of America were studying the geography of Mexico and of Texas. The creoles of Mexico, groaning under an oppression—the more galling because they saw their neighbors of the United States free and happy—had also commenced the study of geography and the art of free government.

The victories of Bonaparte had placed continental Europe at his feet. So early as 1805 he had formed the design of placing one of his family on the throne of Spain; and, in acquiring that country, he expected also to obtain possession of her American colonies, then numbering at least fifteen millions of inhabitants. It was for this reason, and with this view, that he took part with Spain in her controversy with the United States touching the boundaries of Louisiana.* As he had formed the design to acquire the Spanish-American colonies, he wished them as large as possible. Executing with celerity and without scruple his plans of aggrandizement, he invaded the Spanish territory. A domestic quarrel in the royal family favored his designs. Charles IV. was a weak and helpless monarch; he was ruled by his wife, and she by her favorite, Manuel Godoy, known as the "Prince of Peace." Between the two latter there was said to be an intimacy not creditable. Spain saw it, and Ferdinand, the king's son, saw it; but the king did not: hence a quarrel between Godoy and Ferdinand. The king and Queen took part with Godoy. In this unhappy state of their affairs, Bonaparte was called in to decide between them. He did so by sending both parties into a more honorable banishment than they deserved, and took possession of their kingdom. This was ratified by the treaty of Bayonne, on the 5th of May, 1808; and shortly thereafter, Joseph Bonaparte ascended the Spanish throne.† The inhabitants of Spain did not long submit to this summary transfer of their government. Early in June following, the war commenced between the French and the Spanish patriots. The latter were directed by *juntas*, or revolutionary committees, acting with little concert or system, but with desperate valor. While this contest was raging in Spain, the news was received in Mexico of the overthrow of the house of Bourbon, and the usurpation of the Bonapartes. This was immediately followed by emissaries from Joseph Bonaparte and the different Spanish juntas, each asking and claiming the allegiance and support of the Mexican people. Here was a fine opportunity for an escape from European bondage. They were released from their oath of fealty to Charles IV.; and the parent-country was so involved in war at home, that, with union and concert, the Mexicans could easily have achieved their independence.

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* Burr's Trial; Annals of Congress (ninth Congress, second session), p. 1008. There is something mysterious in the conduct of General Wilkinson in the hasty conclusion of the agreement with Herrera, his sudden departure for New Orleans, and his immediate action in regard to Burr and his partisans; but, above all, in sending Captain Walter Burling to Mexico. Captain Pike, in his journal of the 20th of April, 1807 (he was then at Chihuahua), says: "We this day learned that an American officer had gone on to the city of Mexico. This was an enigma to us inexplicable, as we conceived that the jealousy of the Spanish government would have prevented any foreign officer from penetrating the country; and what the United States could send an authorized agent to the viceroyalty for, when the Spanish government had, at the seat of our government, a *chargé des affaires*, served but to darken the conjectures. The person alluded to was Mr. Burling, a citizen of Mississippi territory, *whose mission is now well known to the government*." It appears, from Davis's Memoirs of Burr (vol. ii., p. 400), that the object of Captain Burling was to procure from the Spanish government a large sum for Wilkinson's services in arresting the designs of Burr. Burling must have obtained a passport from the governor of Texas; and this matter must have been arranged on the banks of the Sabine, at the time they agreed upon the *neutral ground*.

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* American State Papers, vol. xii., pp. 49, 97, 98.

† This imperial robbery of Napoleon has been elegantly decorated by Mr. Abbott. Had it been on a smaller scale—the act of a private individual—Mr. Abbott would have been among the first to denounce it as a great crime.

In the last days of July the news of the rising of the Spanish patriots against King Joseph Bonaparte reached the city of Mexico. The native Spaniards and official authorities in Mexico, with the exception of the viceroy Iturigaray, were willing to acquiesce in the order of the council of the Indies, transferring the American colonies to Bonaparte; but the viceroy and the natives of Mexico opposed it. Among the revolutionary juntas in Spain, that of Seville was the most prominent. The emissaries of this junta demanded that Mexico should adhere to the Bourbon family. These were followed by the agents of other juntas, each claiming the control of the colony.

In this distracted condition of their affairs, the people of Mexico proposed to the viceroy what had never been proposed before in that country — the call of a convention, or governing junta of delegates from the people. The viceroy was about to comply with a request so reasonable, when the Spaniards, fearful of a popular assembly, and of the loss of the offices — for they held them all — formed a conspiracy against him; and, at midnight, on the 15th of September, 1808, seized his person, and committed him to the prison of the Inquisition.* All this was approved by the junta of Seville, who appointed the then archbishop of Mexico as viceroy. As he was a person of great mildness, and much venerated by the Mexican creoles, dissatisfaction was allayed.

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* Niles's Mexico, p. 133.

But the Mexican patriots were again aroused by the removal of the archbishop, and the intrusting of the government, for the time being, to the "Court of Audience." This court was the exponent of genuine Spanish despotism, and justly abhorred by all liberal men in Mexico. In the meantime, the victories of Napoleon in Spain had overturned and dispersed the junta of Seville, thus offering to the people of Mexico another honorable and bloodless opportunity of being free. If they did not accept it, they thereby proved themselves unworthy of a destiny so exalted.

The junta dispersed at Seville again reappeared at Cadiz, and sent out Don José Venegas as viceroy. He exhibited his dislike for the native Mexicans by conferring all his favors upon the European Spaniards. He also stationed his most reliable forces at the disaffected points, thus showing his disposition to rely upon the sword for success in keeping Mexico in subjection to the junta from which he derived his power.

By this time the torch of revolution had been lighted over the whole of Spanish America. England had at first encouraged and taken part in the revolt of the different provinces: but when the war broke out between France and the Spanish patriots, Great Britain formed an alliance with the latter;* while Napoleon, finding he could not secure the colonies for himself, took part in favor of their independence.

Before the arrival of the viceroy Venegas, Don Miguel Hidalgo, a curate of Dolores in the province of Guanaxuato, a great friend to the native Mexicans, and withal a man of good sense and gentle manners, had raised the standard of revolt. The Indians, longing to avenge the atrocities of Cortez and the oppressions of so many years, flew to his aid. He was joined by several companies of the royal troops, and marched to the city of Guanaxuato, his army increasing daily. He took the place with little opposition, and, what was most important to him, he replenished his military chest with five millions of dollars taken from the treasury of the city.

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* January 14, 1809.

The town of Queretaro, equal in importance to that of Guanaxuato, was in favor of the revolution; and, to prevent it from falling into the hands of Hidalgo, the viceroy, toward the last of September, 1810, sent General Cadena, with three thousand troops, to defend it. He also organized several corps of *guerillas;* but without effect. The revolt became general; and Hidalgo, after providing himself with munitions, and putting in some sort of order the immense host of creoles, Indians, and mestizoes, that followed his standard, set out on his march for the capital.

The Spanish junta, in October, 1809, had decreed terms of conciliation to be submitted to their revolted colonies. These were—that the colonies should have an equal representation in the national *cortes;* that their American and Asiatic colonies should enjoy a free trade; that the king's monopolies should be suppressed; that the working of the quicksilver-mines in America should be free; that native Americans should be equally eligible with European Spaniards to all offices in church or state; that, to prevent disputes as to the meaning of this last proposition, there should be an equal number of each of the two classes; and, to fill them, there should be a consultive junta in each province to make nominations.* These propositions were presented to the Mexican people on the 23d of September, 1810. But they came too late. Hidalgo was at the head of an enthusiastic army; he had sufficient supplies, had thrown aside the gown and breviary for the sword, and wished a solution of the questions at issue at some point nearer the capital. On his march he overthrew all opposing forces; and it appeared that he would have no difficulty in making himself master of the city. Venegas had only two thousand troops for its defence. Cadena was supposed to be at Queretaro, and Calleja at San Luis Potosi—both too distant to afford relief. At this crisis, Venegas applied the spiritual weapon, which, among a superstitious people, never fails to have its effect. Hidalgo and his adherents were solemnly excommunicated. The revolted chieftain, who had too much sense to be overawed by such fancies, replied. But not so with his ignorant followers. The prestige of victory had departed. He marched to the suburb of the city, but the next day set out on his retreat.

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* Niles's Colombia, p. 44.

In the meantime, the forces of Cadena and Calleja, having made forced marches to relieve the capital, united, and attacked and defeated Hidalgo, first at Aculco, then at Guanaxuato, and again on the 11th of January, 1811, not far from Guadalaxara. The latter retreated to Zacatecas, and then to San Luis Potosi. He was pursued by Calleja, and continued his retreat, intending to pass Saltillo, and make his way into Louisiana, there to remain until his affairs should be more propitious. But General Salcedo, commandant of the northeastern provinces, had sent out a force to cut him off in that direction; while Arredondo, in command of a Spanish force, was close upon his rear. In this critical position, Hidalgo was betrayed by Don Y. Elisondo, one of his own officers, at Acatita de Bajan, on the 11th of March, 1811. Many of his followers were executed on the spot; others were put to death wherever found. Hidalgo was taken to Chihuahua, and put to death on the 27th of July. Among his adherents, Colonel Delgado was apprehended at San Antonio, executed, and his head stuck on a pole at the crossing of the river between the Alamo and the town. Another, Bernardo Gutierres, effected his escape, and took refuge at Natchitoches. The names of some of Hidalgo's followers in the last days of his career are here mentioned, because of the important parts played by them in subsequent transactions in Texas.

The territory lying between the Arroyo Honda and the river Sabine, which had been left as neutral ground by the agreement between Wilkinson and Herrera, had become the rallying-point and refuge of a large number of desperate men. Many had removed there with their families, and established permanent residences. They made war upon all enemies, and, like the buccaneers, lived upon the fruits of their trespasses. They were more particularly partial to the Mexican traders, who brought horses and specie from the interior to exchange for merchandise at Natchitoches. These they preferred as victims, because they could rob them with the greater impunity. They had a regular organization, their headquarters, outposts, and whatever else of contrivance they deemed necessary to carry out their objects. The Spanish authorities had done what they could to suppress them. Twice had the military forces of the United States entered the territory, and drove them off, burning their houses and fixtures.* They were not to be thus driven away.

On one occasion, a number of Mexican traders, loaded with silver, had reached Salitre prairie, on the west bank of the Sabine, on their way to Natchitoches. A small Spanish force was stationed at this point, for the protection of trade, as well as to prevent adventurers from passing over to Mexico. They sent to Major Wolstoncraft, then commanding at Natchitoches, for an escort to guard the traders across the neutral ground. The request was granted, and a small guard was despatched under the command of Lieutenant Augustus W. Magee.* The traders were brought safely as far as La Nan, a small creek west of the Adaes. At this point the creek made a bend in the form of a horseshoe, the convex side being toward Natchitoches. The freebooters of the neutral ground, thirteen in number, had stationed themselves opposite the bend, on both sides of the road, having the creek between them and the road.

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* American State Papers, vol. xi., p. 806.

When the traders had all passed into the bend, and just as Lieutenant Magee and his guard, who were in front, were crossing the creek, the robbers advanced and fired. Magee, seeing himself overpowered, fled with his guard to Natchitoches; and the poor traders were relieved of all their valuables, and sent back to Salitre prairie. For the time, the money taken was concealed by the leaders of the gang under the bank of the creek, and they repaired to their several homes to await what would follow. The amount taken was so large, that it could not pass unnoticed. The next day, Magee, having been reinforced, returned to make search for the robbers. He met two of them going into Natchitoches, and, recognising them, took them into custody. As legal proceedings at this period were not much regarded, they were tied to trees and whipped, with a view to make them disclose their associates. Failing in this, a live coal of fire was passed along their naked backs; but still no disclosure could be obtained. They were then taken to

* Lieutenant Magee was a native of Massachusetts. He graduated at the military academy on the 23d of January, 1809, and received the appointment of second lieutenant in the regiment of artillery, which he held at the time here referred to.—*Register of Officers and Graduates of the U. S. Military Academy*, by Captain Cullum, p. 58. Magee, stationed at Natchitoches, had caught the spirit of the Wilkinson school. The entire emigration from the United States to Louisiana was full of it.

Natchitoches, and delivered into the hands of the civil authority for trial.*

During the time of these occurrences, Colonel Bernardo Gutierres arrived at Natchitoches. He formed an acquaintance with Magee, and they had together many long conferences. Magee was young, bold and romantic in his disposition, and drank with eagerness the marvellous tales of Bernardo. As republican revolutionists of Mexico had in view a federative system like that of the United States, Magee had conceived the idea of conquering Texas to the Rio Grande, and building up a republican state, with a view of ultimately adding it to the American or the Mexican Union as circumstances should admit. He informed himself fully of the geography and resources of Texas, of the distracted condition of Mexico and Spain, and made his arrangements with consummate skill and secrecy. It would be necessary to have the aid of the Mexican population of Texas; and this would require the use of the name of Bernardo as commander-in-chief. It would also be necessary to have the aid of the freebooters of the neutral ground: this Magee engaged himself to secure. It would likewise be requisite to have as auxiliaries the Texas Indians: these could be obtained through John M'Farland and Samuel Davenport, both Indian agents, and decided republicans. And finally, it would be necessary to have supplies: Colonel Davenport had the wealth and disposition to serve as quartermaster and contractor to the army.

The arrangements all being completed, proposals were published, in the name of Don Bernardo Gutierres, for raising the "Republican Army of the North."[*] The publication promised to each volunteer forty dollars per month, and a league of land to be assigned him within the boundaries of the new republic.[†] Magee saw the leaders of the freebooters, and notified them to repair in June, 1812, to the rendezvous at the Saline on the east side of the Sabine river. He himself visited New Orleans, where he obtained a few supplies, and engaged some young men of respectable character to join him.[‡] Having arranged these matters, he returned to Natchitoches.

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* These two men were convicted, and sentenced to imprisonment for a number of years. When enlistments were wanted for the war with Great Britain, they were offered a pardon if they would enlist. One of them, White, accepted the offer; the other, ———, remained till his time expired, reclaimed his booty from La Nan, took it to Georgia, invested it in negroes, reformed his manners, and afterward emigrated as one of the first colonists of Texas, where he died a few years since much respected. —*Narrative of Captain M'Kim*, MS.

To carry out the plan agreed on, Bernardo repaired to the rendezvous on the 14th of June. His force there amounted to one hundred and fifty-eight men. They were of the neutral ground, and could not be conquered. They were ready and able to do anything that the same number of men could do. It was understood that Magee should remain yet longer at Natchitoches, and forward supplies and recruits; and, in the meantime, the force at the Saline was to cross the Sabine at Gaines's ferry, drive the enemy before them, and halt at the Spanish Bluff on the Trinity for further orders.

Bernardo and his men set out about the middle of June, crossed the river, attacked the Spaniards at Salitre prairie, and, after a running fight of about an hour, drove them away. In this fight the Americans lost two killed and three wounded; the loss of the enemy was not ascertained. The Spaniards retreated and fortified the hill overlooking the town of Nacogdoches on the east. The Americans being in close pursuit, the breastwork was hastily constructed, and composed in part of bales of wool intended for the Louisiana market. When the Americans came in sight of the breastwork, they charged upon it, and the enemy fled. The former did not even get a fire at them; and when they took possession of the works, the Spaniards were flying through the town, and without any considerable halt continued their retreat to the Spanish Bluff. The Americans sent off the wool taken on the hill to Natchitoches to purchase supplies, and continued the march. Their numbers were continually increased by reinforcements forwarded by Magee. The contractor, Colonel Davenport, was also indefatigable in procuring and despatching supplies.* The fort at the Bluff, occupied by about four hundred Spaniards, was evacuated on the approach of the Americans. The latter took possession, and found also there a large supply of provisions and ammunition. Here they waited for reinforcements. Magee, on the 22d of June, 1812, resigned his commission, preparatory to leaving the United States; and, after making his arrangements, and collecting his friends and the recruits just arrived, he set out for the headquarters of the invading army. He left behind him Captain James Gaines at the crossing of the Sabine, to forward recruits and maintain the communication with the advanced forces.

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[*] "*El exercito Republicano del Norte mandado por elson Gral en Jefe Don Bernardo Gutierres.*" So reads the caption of the original quartermaster's account, certified by General Toledo, and now before me. The history of this campaign, where other authorities are not referred to, is taken from the manuscript narrative of Captain James M'Kim, an old citizen of Texas, who joined Bernardo at the Sabine, and continued in the service till the close of the war.

[†] This was the origin of the *league* head-rights afterward granted in Texas.

[‡] Breckenridge's Memoirs, quoted by Mrs. Holly in her "History of Texas," p. 304.

The Americans remained at the Bluff till about the middle of October. The Spaniards in the meantime were not idle. His excellency Don Manuel de Salcedo, governor of Texas, with the aid of the late governor, Colonel Cordero, and Simon Herrera, governor of New Leon, were collecting such of the royalists as could be spared from the service in the interior of Mexico, and fortifying La Bahia and San Antonio. Don N. Arredondo, for his services in the capture of Hidalgo, had succeeded Don Nimisio de Salcedo as commandant of the north-eastern provinces.* But the civil war in Mexico had not terminated with the death of Hidalgo. Morelos, another priest, had raised the standard of independence in the southern provinces of the viceroyalty; and Victoria was conducting the war with some success in the vicinity of Jalapa. The republicans, though driven from place to place, still kept up an organization, and a junta, whose orders were implicitly obeyed. The infamous Calleja had become the general butcher of Mexico; blood and desolation followed his march. Morelos, after a great and bloody battle, fought at Tixtla on the 19th of August, 1811, had laid siege to the strongly-fortified town of Acapulco with a part of his army, but with the main body took possession of Quautla Amilpas, about seventy-five miles from the capital, where he was besieged by Calleja.

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* There is charged in Colonel Davenport's account the freight of twenty muleloads of flour and salt from Natchitoches. These were doubtless part of the supplies laid in by Magee at New Orleans; and, with the exception of some thirty or forty *fanegas* of corn-meal, there was no other breadstuffs furnished by the contractor.

It will be remembered that we left Ellis P. Bean and his companions in prison at Chihuahua in 1803. They remained here in confinement five years, a part of the time in irons. Bean obtained leave to go to New Mexico; but on the way was again arrested and brought back, and, with his companions, was ironed and confined. Some days afterward they were notified that it was the order of the king of Spain that every fifth man of them should be shot. As there were but nine of them, the order was so construed that only one should suffer. Accordingly, a drum, a tumbler, and dice, were brought into the prison. They were to commence at the oldest, and the dice being put in the tumbler, each one had a throw. The lowest was to suffer. Bean, being the youngest, threw last. When it came to his turn he threw five, the lowest throw being four. The unfortunute victim was executed. The next day, Bean and four of his companions, in heavy irons, were started off to Mexico. The other three were set at liberty. Arriving at Salamanca, some two hundred miles from the capital, the former made a halt. Among the crowd of Mexicans gazing at them appeared a ladylike woman, who quietly approached Bean and asked him privately if he did not wish to make his escape, saying she would set him free. She then suddenly left him. Señora Maria Baldonada—for such was her name—was the young wife of a rich old husband. She came the second time to see Bean, and urged him to place himself under her direction. Before she left him, she made him agree to come and see her at her house. Accordingly, the next morning, Bean obtained permission to go with one of the guard into the town. Having learned the residence of his fair visiter, he procured accommodations at a drinking-house near by for his sentinel, and went in. The lady informed Bean that her husband, whom she did not love, was at his silver-mine, and would be absent two weeks. In that time she represented that they could safely make their escape; that she would furnish money and horses, and fly with him to the United States, and live with him there. She had become fascinated with him, and trusted in his honor that he would not afterward abandon her for another woman. She said also that she had married her old husband against her will, in order not to displease her parents. Bean, although greatly smitten, and grateful for these marks of affection, expected his liberty when he should reach Mexico; and, not wishing to leave his companions, he declined the offer. He told her, however, that when he should be set free, he would return without delay to see her. At parting she gave him a package, with a request that he would not open it until he reached the end of that day's journey. So he bade her adieu. Bean, with his companions, were hurried off; and, as the lady had requested, he opened the package that night. He found in it a gold ring, some money, and a letter from her full of the most touching sentiments.

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* Niles's Mexico, p. 148.

The captives were marched to Mexico, and thence to Acapulco on the Pacific, where they were imprisoned. Bean was locked up in a separate cell; his four companions were placed in another. Here he was denied all intercourse with his fellow-prisoners; and, excepting the person who brought him his daily allowance of water, beef, and bread, and an occasional glimpse of the sentinel as he passed the grate of his cell-door, he saw no human being. The tedious hours of confinement were relieved in some degree by taming and feeding with flies a white lizard which he found in his prison.

One day he learned from a sentinel that one of his companions had become sick, and had been sent to the hospital. It occurred to him that he too would find relief in getting ill and going there. So he gave notice that he was sick. The physician came, and, Bean having prepared his pulse by striking his elbows against the floor, was declared a patient, and sent to the hospital. Here, in addition to his irons, his legs were put in the stocks. His allowance of food was also greatly reduced, his meat for a day consisting of a chicken's head! On one occasion he inquired of the priest who ministered to him, why he could not get something else than the head and neck of a chicken. The reply was, that he might eat that, or go to the devil! This so excited Bean, that he threw his plate at the shorn head of the friar, and cut it badly. For this offence, Bean had his head put in the stocks for fifteen days. This confinement brought on a real fever, from which he suffered so much, that, on recovering, he was glad to be marched back to his cell.

Bean was reconducted to prison by a guard of two soldiers; and, on the way, it occurred to him that he would try to make his escape. So, still having on hand some of the money given him by the Señora Baldonada, he invited the guard into a drinking-house, and, after they had drank, he called for more liquor, and requested one of them to step with him into the garden in the rear of the house. When they had got to the farther side of the garden, Bean called the soldier to admire a little flower. As the latter stooped down to look at it, Bean seized him by the throat, and told him to surrender his sword, or he would take his life. The sword was given up; and Bean told him that he was going off, and asked him to go with him, but the soldier was unwilling. Bean gave him a dollar, and directed him to go to the town, get the worth of it in bread, and bring it to him at the graveyard on the outskirts of the town. Bean then left him, and, before the latter could give notice to the officer at the fort, was in the woods, when he filed off his irons with the steel he used in striking fire. He concealed himself till night, when he returned into the town to lay in a stock of provisions. Here he found an English sailor, through whose means he got on board a vessel, and was secreted in a water-cask. Just before the ship sailed, he was betrayed by the cook (a Portuguese), retaken, and placed again in his cell, where he remained eighteen months longer in solitary confinement!

Hearing an officer speaking one day of having some rock blasted, Bean informed him that he was a proficient in that business. This information caused them to put him at it. In a few days after he had been engaged in blasting rocks, he succeeded again in making his escape. He travelled at night, concealing himself in the daytime; and for several days beat along the coast northward, when he was retaken, and brought before the governor of the castle of Acapulco. After fearful threats on the part of that functionary, in reply to which Bean told him to do his worst, he was chained to a large mulatto criminal, the latter being promised an abatement of a year of his term of punishment if he would take care of his yoke-fellow. He was also authorized to whip Bean if he became insubordinate. They had not been long together, before Bean gave the mulatto such a beating, that he prayed for a separation. It was granted, and Bean was sent back to his cell, to keep company with the white lizard: it seemed to be the only live thing that had any sympathy for him, and this feeling was fully reciprocated.

Bean was "a hard case;" and the governor of the castle of Acapulco wrote to the viceroy that he could not be answerable for him. The latter, in reply, sent an order for his removal to the king's possessions in Manilla. While awaiting a vessel, the revolution broke out. The prisons of New Spain had been emptied for recruits. Bean was the only one left at Acapulco. The Spanish authorities knew his worth, but doubted his faith. One day an officer questioned him on this point. Bean told him he would gladly serve the king if permitted. His irons were knocked off, a gun and sword placed in his hands, and he became a soldier. At that time the republican forces were some three hundred miles distant.*

Bean performed his duties very well for a couple of weeks, when, a favorable opportunity offering, he went over to Morelos, carrying with him a considerable number of the royalists. He continued with Morelos, growing daily in his confidence, and displaying great courage; he was infinite in his resources, providing provisions and ammunition for the troops, and in leading forlorn hopes.

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* Bean's Memoirs, MS.

When Morelos proceeded with the main division of his army to occupy Quautla Amilpas, he left Bean (then holding the rank of colonel) in command of the forces besieging Acapulco. Morelos was driven from Quautla with considerable loss, but was more fortunate in other places. About the close of the year 1812, Colonel Bean took the town of Acapulco, with the garrison, and the governor of the castle who had treated him with so much cruelty. At this time the whole of New Spain was engaged in deadly strife. An indiscriminate slaughter seemed to follow every victory. Whole towns were razed to their foundations, and entire provinces were made desolate! The long pent-up wrath of four millions of Indians, and the fierce barbarity of the usurping Spaniards, were turned loose upon a country romantic and lovely by nature, but wasted and ruined by a cruel oppression.

CHAPTER XIII.

From what has preceded, it will be seen that the time for a successful invasion of Texas was propitious. The Spaniards were not able to prevent it, and the people of the province were not opposed to it. The Franciscan friars in Texas kept up a regular correspondence with the parent-convents at Queretaro and Zacatecas. The latter, ardent friends of the revolution, inspired the former with their views. The spiritual advisers of the Texan population had no difficulty in directing their views and feelings.

There were very few able-bodied men east of the Trinity who did not join the Americans at the Bluff. On the arrival of Magee, and after the principal forces were collected, they were organized. Magee was elected colonel, and, in fact, commander-in-chief; although, for prudential considerations, Bernardo was nominally called such, with the title of general. Kemper was chosen major, and other regimental officers were appointed. Before the army left the Trinity, Captain James Gaines, commanding the Mexicans east of that river, joined with his forces. The troops, nearly eight hundred in number, set out on their march, taking the La Bahia road. They continued the march without interruption till they had crossed the Colorado, when the advance captured some of the Spanish spies. They learned from them that Governor Salcedo was in command at La Bahia, having been informed that they would attack that place; that he had marched out with fourteen hundred troops, to lie in ambush at the crossing of the Guadalupe. This information, confirmed by other circumstances, induced Magee to change his route, which he did, crossing the Guadalupe below the old road. He made a forced march, and reached La Bahia before day on the 14th of November.* There were but one hundred and sixty Spanish troops in the fort. They surrendered with little opposition, and the "Republican Army of the North" marched in, raised their flag, and found themselves in possession of an abundance of military stores and the Spanish military chest. They found in the fort sixteen pieces of artillery of all calibres; among them, those brought to San Bernardo, by La Salle, in 1685. The military chest enabled them to pay to each of the troops all back dues. This, with the abundance of provisions on hand, made them contented.

Three days after, Salcedo, burning with rage in being so deceived, marched up to the fort and assaulted it with his entire force. The Americans did not wait, but sallied out of the fort, and drove him back, with a small loss on both sides. Finding that victory was not so cheap, the Texan governor repassed the river, and prepared for a regular siege. He divided his forces into four divisions, and placed one on each bank of the San Antonio above and one on each bank below La Bahia. The Americans were not idle. They erected a bastion of earth on each side of the fort, on which they mounted the guns they found in the fort, and also the three six-pounders they had brought with them. Salcedo had fourteen pieces of different calibres, which he used as he could.

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* Narrative of Captain M'Kim, MS. In the accounts we have of this war, there is a great discrepancy in dates. The quartermaster's account is considered most reliable.

During the three or four weeks in which the two armies occupied these positions, Salcedo made three assaults on the fort. The Spaniards were receiving constant accessions of strength; the Americans none. Previous to the last assault, for some unknown cause, a cessation of hostilities for three days had been agreed upon. During this time the officers of the two armies extended to each other the civilities due among gentlemen. Colonel Magee, by invitation, dined with Salcedo in the quarters of the latter. Between them an agreement was made, which, from the facts above detailed, can not be understood. Magee had agreed with Salcedo that the fort should be delivered up, the Americans to return home without their arms, but to be supplied on the march with provisions by Salcedo.

Magee returned to the fort, paraded the troops, announced to them what he had done, and took the vote of approval by asking those in favor of it to shoulder arms. The treaty was unanimously voted down. The republicans were indignant, and manifested it by striking the butts of their pieces against the ground. Magee, confounded by this act of disobedience, retired to his tent, leaving the troops on parade. The confusion was great. Major Kemper, the next in command, went for Bernardo. He kept close in his quarters, signed all the necessary papers, and ate hearty dinners, but, like Mohammed's coat, was brought before the army only on trying occasions. He took sides with the troops, and advised that the agreement should not be regarded. In the meantime, a flag from Salcedo brought a note to Magee. It was delivered to Bernardo, and he read it to the army. It reminded Magee of his honor; that the hour had passed when the fort should have been surrendered, and it was not done. The flag was sent back without an answer.

Shortly afterward, Salcedo made a furious assault upon the place, took the town, and advanced to the walls of the fort. The Americans, thrown into disorder by recent events, and without a commander, seemed not to act with their usual vigor. But, rallying under Kemper, the next in command, they sallied out and attacked the Spaniards, drove them from the walls, and then out of the town, continuing the fight till darkness put an end to the contest. The Spanish loss in this affair was about two hundred; the Americans lost but few. Magee had not left his quarters during the battle. That night, shortly after twelve o'clock, he died, and, it is said, by his own hands.*

The next morning, the Spaniards sent in a flag, asking a cessation of arms for one day, that the dead might be cared for; which was granted. The Spaniards continued the siege, without making any further attack, until about the 12th of March, 1813, when they abandoned their position and retreated to San Antonio. They, however, stationed spies down the river, to watch the movements of the Americans.

Major Kemper was promoted to the rank of colonel, and commander-in-chief *de facto*, and Captain Ross was chosen major. A council of war was held, at which it was resolved to obtain reinforcements and march on San Antonio.† Captain M'Farland was despatched to the Lipan and Twowokana Indians for aid. An express was also sent to Nacogdoches, to the commandant Guadiana, to forward in haste all the recruits to be had there. The volunteers from Nacogdoches, one hundred and seventy in number, soon arrived. Twenty-five Cooshattie Indians, of the old missions, also joined them. With these additions, the Americans set out on their march up the left bank of the San Antonio, and crossed the Salado, a small creek emptying into that river, about the 28th of March. Here they were joined by Captain M'Farland with three hundred Lipan and Twowokana warriors.

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* Captain M'Kim's Narrative. More light is needed in regard to the conduct of Colonel Magee from the time of his interview with Salcedo until his death. Though a young man, he acted with prudence and foresight in getting up and conducting the expedition. Notwithstanding the officers of the United States were vigilant in preventing troops from marching from Louisiana to make war in Mexico, yet the affair was so well managed, that, although it was known that the enterprise was on foot, it was extraordinary to see two of those engaged in it together at any one time.—*Letter of John Dick, U. S. District Attorney for Louisiana; American State Papers*, vol. xi., p. 302.

† Breckenridge's Memoirs of Travel.

The viceroy Venegas, notwithstanding he was sorely pressed by the republicans at home, found an opportunity for throwing reinforcements into San Antonio. Salcedo, receiving information of the advance of the Americans, sent out his troops to form an ambush. The whole regular force, consisting of fifteen hundred men, and about a thousand militia, were placed under the command of the officer who brought on the reinforcements—he having solicited it, and pledged his sword and his head to the governor that he would kill and make prisoners the whole of the republican army! The latter consisted of eight hundred Americans, under Colonel Kemper; one hundred and eighty Mexicans from Nacogdoches, nominally under Colonel James Gaines, but really led by Manchaca, a rough, uneducated, but strong-minded Mexican of Texas; and three hundred and twenty-five Indians. The Americans, expecting a conflict, had prepared for it. They marched in order of battle. The left wing, under the command of Major Ross, moved in front; the right, under Kemper, was in the rear. A select corps of riflemen, under Captain Luckett, acted as flankers on the right. The American left was protected by the San Antonio river, along the bank of which they marched.

About nine miles from San Antonio there was a ridge, of gentle slope, dividing the waters of the San Antonio and the Salado. The side of this ridge next to the San Antonio, from the crest to the road, consisted of prairie; the side bordering the Salado was covered with *chapparal*, a species of thick underwood. In this chapparal the Spaniards were lying in ambush. They were discovered by the riflemen, who were marching on the crest of the ridge, and who opened a fire upon them. They immediately formed, and presented themselves to the American army about four hundred yards below. The Spanish line, in the centre of which were twelve pieces of artillery,* crowned the crest of the ridge for three quarters of a mile.

The Indian auxiliaries were placed in front of the American lines, to receive the charge of the Spanish cavalry, until suitable dispositions could be made to charge in turn. At the first onset, they all fled, except the Cooshatties and a few others: these withstood two other charges, in which they lost two killed and several wounded. By this time the Americans had formed at the foot of the ridge, having placed their baggage-wagons in the rear, under the protection of the prisoners they had taken at La Bahia! The charge was sounded, and orders given to advance to within thirty yards of the Spanish line, fire three rounds, load the fourth time, and charge along the whole line. The order was obeyed in silence, and with a coolness so remarkable, that it filled the Spaniards with terror. The Americans had greatly the advantage in ascending the hill, as the enemy overshot them. The Spaniards did not await the charge of their adversaries, but gave way along the entire line, and then fled in the direction of San Antonio. They were pursued and killed in great numbers; and many who had surrendered were cruelly butchered by the Indians. When the Spanish commander saw his army flying, and that the day was lost, he turned his horse toward the American line, and rushed into their ranks. He first attacked Major Ross, and then Colonel Kemper; and, as his sword was raised to strike the latter, he was shot dead by William Owen, a private in Captain Joseph Taylor's company.

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* M'Kim. Breckenridge says six pieces.

In this great Texan battle, there were nearly a thousand of the enemy slain and wounded, and a few taken prisoners; though the inhuman conduct of the Indians greatly reduced the number of those captured.*

The next day the Americans pursued their march to the borders of the town of San Antonio, and sent in a flag, demanding the surrender of the place and garrison. Governor Salcedo asked till morning to make his arrangements for the capitulation of the place. A second flag was sent in, notifying him that, if he and his staff did not immediately proceed to the American camp, with the flag, they would storm the town. Salcedo with his staff, fourteen in all, complied with this demand. The governor approached Captain Taylor, and presented him his sword. Taylor referred him to Colonel Kemper; the latter declined to receive it, but referred him in turn to General Bernardo Gutierres. This was too much: Salcedo stuck his sword into the ground in front of Bernardo, and left it there! The latter took it up. The Spanish troops, stores, arms, and military chest, were all surrendered. The Americans marched into the Alamo, and released seventeen of their countrymen whom they found there imprisoned, put arms in their hands, and placed them in the ranks of the "Republican Army of the North." The spoils were distributed. Each man in the army received his wages, a gratuity of fifteen dollars, a suit of clothes, and an order for two horses or mules out of the public *caballada*. The Indians were supplied with two dollars' worth of vermilion, together with presents of the value of a hundred and thirty dollars, and sent away rejoicing.* The Spanish soldiers taken as prisoners were set at liberty. Some joined the ranks of the republicans, and the rest repaired to their homes. Salcedo and his staff were permitted the liberties of the town on their parole of honor.

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* It is a little remarkable that the locality of this engagement, known as the battle of *Rosalis*, can not be identified. We have the accounts of Navarro, Kennedy, and M'Kim. As the latter was in the battle, his account was preferred.

About the first of April, 1813, General Bernardo (who, being among his own people, had begun to assume a little more authority) ordered the army to be paraded, and read to them what he affirmed was a letter informing him that two vessels, at Matagorda bay, were about to sail to the United States, and stated that he considered it safest to send Salcedo and his staff to New Orleans, there to remain on their parole until the war was over. This proposition was acquiesced in by the troops; and that evening the governor and his suite started on their march, under the guard of a company of Bexar Mexicans commanded by Captain Delgado. They were taken about a mile and a half below the town, to the point of a small ridge that runs down to the river; and there, on the east bank of the stream, the prisoners were stripped and tied, and their throats cut! Among them, besides Governor Salcedo, were the brave and accomplished ex-governors Herrera and Cordero.† The

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* Colonel Davenport's account, MS.

† Foote's "Texas and the Texans," vol. i., p. 188. Colonel Navarro gives a somewhat different account of this affair. He says: "Some of these assassins [Delgado's company], with brutal irony, whetted their knives upon the soles of their shoes in the presence of their victims! . . . . The day following the assassination, I myself saw this band of murderers, led by their commander, Antonio Delgado, halt in front of the government-buildings. I myself heard them inform Bernardo Gutierres that the fourteen victims had been put to death." The following is the list furnished by Colonel Navarro:—

Spaniards: Manuel de Salcedo, governor; Simon de Herrera, governor of New Leon; Geronimo Herrera, lieutenant-colonel; Juan de Echeverria, captain; José Groscochia, captain; Francisco Pereira, captain; José Mateos, captain; Juan Ignatio Arambido, captain; Gregoria Amado, lieutenant; Antonio Lopez, citizen.

Mexicans: Miguel de Arcos, captain; Luis, his son, lieutenant; Francisco, his son, ensign; Juan Caso, lieutenant.

Gutierres, in a manifesto published at Monterey, in 1827, denies having or-next morning, the Americans, discovering that Delgado and his company were back in their quarters, suspected some treachery. The American officers, having their honor pledged for the safety of these victims, caused Delgado to be arrested and tried. His defence was, that Colonel Delgado and General Bernardo, having been engaged under the banner of Hidalgo, when the latter fell, were making their escape to Louisiana; that Colonel Delgado—who was his father—was taken and executed by Salcedo in San Antonio, and his head exposed on a pole, as the Americans saw when they marched into the town; and that for this reason General Bernardo had given him permission to put the prisoners to death. Upon this statement, Captain Delgado was released, and Bernardo himself brought to trial. He made the same defence as the former, with this addition, that the younger Delgado had implored him on his bended knees thus to avenge his father's death. The tribunal, however, found Bernardo guilty of treachery and barbarity, and deposed him.

Before this occurrence, Bernardo had been a mere cipher; now he had assumed authority, and in a manner so barbarous, that the American officers had become disgusted with the service. Colonel Kemper, Major Ross, and others, left the army and returned home; but their places were supplied with new recruits,* the fame of preceding victories having drawn many adventurers to San Antonio.

After the departure of the above-named officers, the troops, intoxicated with success, and being without the restraint of any lawful authority, abandoned themselves to great excesses. But, while thus revelling in almost every species of dissipation,

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dered the execution of these men, and charges it upon the Mexican junta which he had assembled at San Antonio to try them. Ex-Governor Cordero, it will be seen, is not in Navarro's list.

* Breckenridge; Foote, vol. i., p. 191.

they were surprised by a new army sent against them by the viceroy. It was commanded by Don Y. Elisondo, the same renegade who had betrayed Hidalgo to the royalists. The army which he led consisted of about fifteen hundred regulars, and a like number of irregulars picked up in the internal provinces. They first surprised, killed, and dispersed the guard who were out grazing the American *caballada*. They also took the horses. The republicans, on receiving this intelligence, were in confusion, and without any controlling head. The Mexican influence was too strong to neglect Bernardo, and yet the Americans could not safely trust him. Manchaca was a man of great vigor, and had extensive influence among his people, but was ignorant of all the high qualities necessary for the command of an army. Of the American officers who remained, Captain Perry was highest in rank, and perhaps the most worthy. At all events, he had the chief command in fact, and Bernardo was nominally reinstated for the occasion.*

Elisondo did not march directly into San Antonio, as he might have done, but pitched his camp about half a mile from the graveyard of the town. The Americans having decided on their plan of attack, double sentinels were placed on guard, no one was permitted to pass in or out of the place, and all the artillery except four field-pieces was spiked.

The Spaniards had meanwhile thrown up two bastions, with a curtain of four hundred yards between them. This work crowned the summit of a ridge of gentle ascent, near the river Alazan, a branch of the San Pedro, behind which the enemy were encamped.

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* Captain M'Kim's Narrative, MS. It must not be understood that Bernardo was without abilities, or deficient in many good qualities. He was a man of cultivated mind, of good sense, had seen much of the world, and had some refinement—but he was a *Mexican*. When the Americans found it necessary to reinstate him, in order to get the hearty co-operation of his own people, they sent a deputation, consisting of Captains Perry and Joseph Taylor, to wait on him.—*Ib.*

At ten o'clock at night, June 4, the Americans marched out of the town. They moved by file, and in the most profound silence, until they approached sufficiently near to hear the enemy's advanced guard. Here they sat down, with their arms in their hands, until they heard the Spaniards at matins. Orders were given that, on notice, the Americans should charge. This notice was to be given by a check from the right of each company, and in silence. The signal was given, and they all marched forward with a firmness and regularity becoming veteran soldiers. The enemy's pickets were surprised and taken prisoners. The Americans advanced to the works, mounted them, hauled down the Spanish flag, and ran up their own tricolor, before they were discovered by the Spanish camp. This was just at the dawn of day. The Spaniards, thus aroused, fought gallantly, and drove the Americans back from the works. The latter rallied, retook them, and charged into the Spanish camp, using only the bayonet and spear. The slaughter was terrible. At length, after some hours of hard fighting, the Spaniards, fairly pushed off the field, turned and fled, leaving a thousand dead, wounded, and prisoners. The Americans lost forty-seven killed, and as many more wounded, who afterward died of their wounds.

The Spaniards who escaped, fled with their commander to the Rio Grande, and the Americans returned to San Antonio, where, having no further use for General Bernardo Gutierres, they dismissed him from the service. This act was doubtless done at the instance of the American officers, who feared further dishonor and treachery. The family of Bernardo had come on to San Antonio after the battle of the Salado (or Rosalis), and remained there with him. On being dismissed the second time, he retired to Natchitoches.*

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* Bernardo hung about the "neutral grround" until 1816, when he went to New Orleans. On the successful issue of the Mexican revolution, he had a com-

Don José Alvarez Toledo was by birth a Cuban, of a distinguished Spanish family.[*] He had formerly been a member of the Spanish cortes in Mexico, but was banished on account of his republican sympathies.[†] He had been for some time in Louisiana, aiding in forwarding recruits to San Antonio, and was duly advised of the progress of the war in that quarter. In July, 1813, he set out in person for the scene of hostilities.[‡] He arrived shortly after the final departure of Bernardo. His fame as a distinguished republican Spaniard had preceded him, and the troops and people of San Antonio went to meet and escort him in. He was welcomed with much pomp, and immediately elected commander-in-chief of the republican army of the north.[‖]

General Toledo at once organized a governing junta, and went to work to restore order to the civil government of Texas. Suitable alcaldes and other officers were appointed, and for a few days law and order seemed to reign in San Antonio.

But these days of sunshine were destined to be few. The republican rangers brought intelligence that another Spanish army was approaching. The fugitives from the late disastrous affair under Elisondo had communicated to General Arredondo, commandant of the northeastern provinces, the news of the defeat. The latter united his own forces with such of the rem-

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mand at San Carlos. Colonel Bean, in his Memoirs, says that at San Carlos, on the 28th of June, 1825, "I found Don Bernardo Gutierres, with about four hundred troops, in command of the place. He was my old friend, and I was very glad to see him, as my horses and mules were giving out, and my money also; but, to my misfortune, I found him very poor, and unable to help himself." In 1830, Bernardo was keeping a small saddlery-store at Guerrero.

[*] Holly's Texas, p. 307.

[†] Foote, vol. i., p. 191.

[‡] In Colonel Davenport's account there is this item, incurred at Spanish Bluff, about the 23d of July: "*Por 75 lib.^{s} de balas de orden de el sor. Gral Toledo seg.^{n} recibo acomp.^{o} No.* 41, $23,3½."—*MS.*

[‖] Captain M'Kim's Narrative.

nant of Elisondo's army as he could collect, and set out on his march for San Antonio. On the south of the Medina he threw up a breastwork: it was in the form of the letter <, with the apex in the road, and the open end in the direction of San Antonio. His entire force consisted of about four thousand men. Six hundred of these were thrown forward four hundred yards in advance of the breastwork, and intended as a decoy. The breastwork itself was concealed by an artificial chapparal, formed of bushes set up in front of it, and giving the appearance of a natural growth.

Toledo immediately marched out to meet the enemy. His force consisted of eight hundred and fifty Americans, under Perry and Taylor, and about twice that number of Mexicans, commanded by Manchaca. The latter was said to be envious of the distinction shown to Toledo, and was consequently insubordinate. This was perhaps the cause of a fatal mistake on the part of Toledo in separating the Americans, by placing them on the two wings, with the Mexicans in the centre.

When they met with the Spanish advance, the battle commenced. The Spaniards, after firing a round, abandoned their artillery, and made a feigned retreat, flying through the apex of the breastwork. The centre of the republicans advanced rapidly, and the wings followed. Toledo, seeing the ambush when it was too late, ordered a retreat. The left wing obeyed the order; but the right wing refused, crying out that "they never retreated!" The centre, far in advance of the wings, was already exposed to a deadly fire from its front and flanks. Had the order to retreat not been given at all, or had it been given earlier, the day would not have been lost. The enemy's cannon mowed down the republicans with fearful havoc. The Americans on the right performed prodigies of valor; even after the few survivors of the centre had fled, they continued the fight. They could not, however, obtain possession of the breastwork, and in the effort were nearly all cut to pieces. Only those that obeyed the order to retreat were able to get away from the field of battle. The fugitives continued their retreat, the Spanish cavalry pursuing, and butchering without mercy all whom they could overtake. At Spanish Bluff, on the Trinity, the enemy took seventy or eighty prisoners. These they marched to an island of timber at the then forks of the San Antonio and La Bahia roads, where they dug a long and deep grave, laid a piece of timber across it, and, after tying the prisoners, set them by tens on the timber, and shot them. Only ninety-three Americans succeeded in reaching Natchitoches. Among them were Colonel Perry, Captain Joseph Taylor (badly wounded), and Captain Bullard, who had acted as aid to Toledo during the battle. Thus ended the disastrous war of 1812 and 1813.*

The victorious party in Texas pursued with vengeance every friend of the republican party. The town of Trinidad, at Spanish Bluff, was utterly desolated. Those of the inhabitants who did not make their escape were cruelly butchered at a hill a few hundred yards west of Robbins's ferry, known as the *Loma del Toro*, or Bull's hill. The republicans of Nacogdoches fled to Louisiana. The survivors of the *neutral ground* returned to their old haunts, and formed a nucleus around which subsequent revolutionists might rally.

General Toledo, as the head of the republican party in Texas, planted his standard on the left bank of the Sabine, at the old Saline near Gaines's ferry, and invited thither whosoever chose to engage in the war.[*]

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* It will not be deemed surprising that we have no detailed account of the important events of the Gachupin war, when we remember that during the same period there was a war in the United States, and also one in Mexico. The public mind was thus drawn away from the military movements in Texas. It is more than probable that the war between the United States and Great Britain, by drawing into its vortex the adventurous spirits of the southwestern states, saved Texas from a successful revolution in 1813.

Two days after the battle of the Medina, which was fought on the 18th of August, 1813, General Arredondo, having his wagons loaded with wounded and dying, marched in triumph into San Antonio. Here commenced a scene of barbarity which that place had never before witnessed. Seven hundred of the peaceable citizens were seized and imprisoned. Three hundred of them were confined during the night of the 20th of August in one house, and during the night eighteen of them died of suffocation. From day to day the others were shot, without any form of trial! The cruelty of the Spanish commander went even further. He had a prison for females. It occupied the site of the present postoffice of San Antonio, and was tauntingly called the *Quinta*. Here were imprisoned five hundred of the wives, daughters, and other female relatives, of the patriots; and, for being such, they were compelled daily to convert twenty-four bushels of Indian corn into the Mexican cakes called *tortillas*, for Arredondo's army. After thus having satisfied his appetite for blood and revenge, the royalist commander found an opportunity, about the first of September, to collect and bury the bones of Salcedo and his staff. By this time, Elisondo, who had proceeded as far as the Trinity in pursuit of the fugitives, returned, driving before him on foot the widows and orphans of those he had there slain. The property of the patriots was all confiscated.[†]

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[*] Foote, vol. i., p. 192.

[†] Colonel Navarro's account, as furnished me by F. Giraud, Esq. In 1822, Governor Trespalacios, in crossing the Medina, on his way to Bexar, passed over the battle-field of the 18th of August, 1813. It was strewn with human bones. He had them collected, and buried with military honors. On a large oak he placed a tablet with this inscription: "HERE LIE THE BRAVES WHO, IMITATING THE IMMORTAL EXAMPLE OF LEONIDAS, SACRIFICED THEIR FORTUNES AND LIVES, CONTENDING AGAINST TYRANTS."—*Navarro.*

CHAPTER XIV.

FROM 1808 to 1815, Spain had no diplomatic intercourse with the United States.* The gigantic policy of Napoleon had, for the time, blotted her out from the list of nations. It will be remembered that she still held possession of East Florida, and claimed West Florida, as also Texas; while the United States likewise claimed the two latter provinces by virtue of the purchase of Louisiana. While Spain was thus overwhelmed at home, her possessions in America were either in a state of open revolt, or subject to fall into the hands of any of those powers with whom the mother-country was at war.

The people of West Florida assembled in convention at Baton Rouge, on the 26th of September, 1810, declared their independence, and transmitted their declaration to the United States, requesting to be taken under their protection.† The Congress of the Union having authorized President Madison, on the happening of certain contingencies, to take possession of the country, he accordingly issued his proclamation, and, on the 27th of October following, directed Governor Claiborne to annex West Florida to the then territory of Orleans,‡ which was done.

By the joint resolution of Congress of the 15th of January,

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* American State Papers, vol. xi., p. 54.

† Ib., vol. vii., p. 482, *et seq.*

‡ Ib., p. 480.

1811, the president was fully empowered, in the event of an attempt of any foreign power to occupy any part of East Florida, to take possession of the same for the United States.* We have already seen what was done in Texas. In Mexico, the war still continued. The vigorous conduct of Calleja, who for his services had been appointed viceroy, had rendered the royal cause victorious over the entire country, with the exception of Guanaxuato, Valladolid, and Zacatecas. Morelos, however, summoned a congress at Chilpanzingo, which published a declaration of independence. But the political movements in Europe, on which the ability of Spain to support her cause in Mexico depended, had become more favorable. Bonaparte, at the close of 1813, was compelled to restore the Spanish crown to Ferdinand VII.;† and, by the treaty of April 11, 1814, the former renounced the sovereignty of France, and retired to Elba. This enabled Spain to concentrate her forces against her rebel colonies.

In the meantime, Toledo had temporarily left his headquarters at Gaines's ferry, and was engaged in the United States collecting forces, arms, and assistance, for the prosecution of the war in Mexico. The Mexican Congress had sent Manuel Herrera as commissioner to the United States, to represent the interests of the Mexican republicans. He brought with him blank commissions, which, unfortunately, he distributed to persons of every character and nation.‡ Generals Toledo and Humbert, however, succeeded in raising a small force, together with supplies of ammunition and provisions, which they transported to El Puente del Rey, between Vera Cruz and Jalapa. This place was fortified by the republicans. Morelos, hearing of this arrival, and being sorely pressed by the royalists, set out on his march to join Toledo; but on the way he was captured and shot.* With the death of Morelos, the revolutionary cause languished for some years.

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* American State Papers, vol. xi., p. 391.

† Treaty of Vallençay, December 8, 1813.

‡ American State Papers, vol. xi., p. 56.

Notwithstanding this ill success, efforts were not wanting, in the southwestern portion of the American confederacy, to get up a campaign against Texas. Many of the leading republicans of Mexico, being compelled to fly their country, took refuge in the United States. Their condition and recitals naturally increased the sympathy felt for their cause. The peace of Ghent gave leisure to the adventurers of the latter country, and their attention was turned to Texas. True, this province had again fallen into the hands of Ferdinand VII.; but, in the various disputes and collisions between the United States and Spain, the people of the former had acquired a thorough contempt for the house of Bourbon. The triumphs of Bonaparte had broken the charm of idolatry which had so long hung over this corrupt and imbecile line of kings. Indolence and intermarriages had deprived them of energy, liberality, and wisdom; and, though they still held the nominal sovereignty of New Spain, their power had departed for ever.

It was through the influence of the Mexican clergy, who were directly dependent upon Spain, that the first effort at revolution failed. It needed, then, only a diversion of that influence to rekindle the flame, and consume the last vestige of European authority in Mexico.

Those most influential in getting up a second invasion of Texas were José Alvarez de Toledo, Julius Cæsar Amazoni, Vincent Gamble, John Robinson, Romain Very, Pierre Soemeson, Bernard Bourdin, and Colonel Perry. All these, except the last-named, were indicted in the United States district court of Louisiana, in 1815, for a violation of the neutrality of the

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* Niles's Mexico, p. 149.

Union.* This had a tendency to check their movements. But Colonel Perry, though vigilantly watched, made his way, with a few followers, through Attakapas, to a point two leagues west of the Sabine, where they assembled more. From this point they embarked for the coast of Mexico, but adverse winds compelled them to return.†

Perry was a bold, active, and persevering officer, and not easily discouraged by misfortune. He had shown this by remaining at San Antonio after the treachery of Gutierres; and, notwithstanding his narrow escape at the battle of the Medina, his privations in the retreat, and the difficulty of raising and providing for troops, he still persevered in his intentions against Mexico. As his movements are connected with the first occupation of Galveston island, it will be necessary to refer to it.

From the discovery of the island in 1686, by the colony of La Salle, until 1816, it had remained unsettled. A few roving Carankawaes occasionally resorted to the western end of the island for the purpose of fishing, but there were no human habitations on it. In fact, there is reason to believe that, since 1686, it has more than doubled in extent, by the recession of the waters of the gulf. In the beginning of the year 1816, it was covered with long green grass, on which fed herds of deer. It also abounded in serpents, from which it was called, by the pirates of the gulf, *Snake* island.

Some of the piratical vessels of Barrataria had sailed into Galveston bay, and made known the capacities of the harbor. Don José Manuel Herrera, the minister of the Mexican patriots to the United States, learning from them that it would answer his purposes, took steps to have it occupied. Accordingly, he sailed to the island on the first of September, 1816, taking with him Don Luis Aury, who, as commodore of the fleet of the republics of Mexico, Venezuela, La Plata, and New Grenada, commanded a squadron of twelve or fifteen small vessels. On the 12th of September, a meeting was held, and a government organized. Aury was chosen civil and military governor of Texas and of Galveston island. He took the oath of fidelity to the republic of Mexico; the several branches of public administration were arranged, the republican flag was raised, and Galveston declared a part of the Mexican republic. From this time until the 20th of October the minister and the commodore were engaged in completing their system. Among other provisions was one permitting Governor Aury, if he should deem it necessary, to change his residence to Matagorda, or any other more suitable place.*

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* American State Papers, vol. xi., p. 307.

† Ib., p. 305.

The vessels of Aury were immediately sent out as privateers to cruise against Spanish commerce; and so active and energetic were they in this business, that they completely swept the Mexican gulf of the shipping of the mother-country. The proof of this fact is to be found in the numerous complaints laid before the government at Washington by the minister of Spain.

But Galveston was likewise to be the rendezvous of a force to operate by land. Xavier Mina, a native of Navarre, who had distinguished himself in the peninsular war against the

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* American State Papers, vol. xii., p. 424; vol. xi., p. 845. Luis de Aury was from New Grenada. He entered as a lieutenant in the navy of the republic, on the 9th of June, 1813. On the 10th of August, 1816, he was appointed commandant-general of the naval forces of New Grenada stationed at Carthagena. To his generosity and intrepidity hundreds of men, women, and children, were indebted for their safety at the memorable siege of that city, when with three small vessels he broke the line of the royalist squadron of thirty-five sail, and thus escaped the hands of the cruel Morillo. This was on the 6th of December, 1815.—*Ib.*, vol. xii., p. 410. The collector of New Orleans, in his official letter of August 1, 1817, says: "The establishment at Galveston was recently made there by a Commodore Aury, with a few small schooners from Aux Cayes—manned in a great measure with refugees from Barrataria, and mulattoes." He does Aury injustice by confounding him with the Lafittes, as the facts will show

French, being compelled to leave his country, fled to England, whence, with fifteen officers, mostly Spanish, he sailed for the United States. He seems to have brought with him a considerable amount of funds. At all events, on the 27th of September, 1816, with three vessels, containing about two hundred troops, together with arms, ammunition, and military stores, he sailed to Port-au-Prince, with the view of emancipating Mexico. General Toledo, hearing of the arrival of Mina at Baltimore, proceeded to that city to consult with him. A despatch from Don José Feurtes, the confidential minister of the Spanish government at Havana, had been intercepted by the patriots, from which they were informed that Spain would not transfer the Floridas to the United States. On this intelligence they based their intended operations. The two generals were to meet at Port-au-Prince, and from that point make a combined attack upon the Floridas, wrest them from Spain, establish there a free government, and make them the asylum of the unfortunate emigrants from New Grenada and Venezuela, who, obliged to fly their country, were perishing in the West Indies; and, when the new government should be established, ask its incorporation with the American Union. Such was their plan, and, in accordance with which, Mina had sailed for the place of rendezvous. Two causes prevented its execution: Mina was partly wrecked in a storm; but, what was of most importance, Toledo deserted him, and went over to the king of Spain.*

This sudden change of affairs produced two results: it caused Spain to agree to the cession of the Floridas to the United States; and Mina to sail to Galveston, for the purpose of co-operating with Aury and Colonel Perry. Mina arrived at Galveston on the 24th of November, 1816.[*] Texas at this time was in a deplorable condition. San Antonio, prostrated and ostracised by the war of 1812–'13, was nearly deserted;[†] the people of Nacogdoches, fugitives from their homes, were wandering on the frontiers of Louisiana.[‡] In the entire province there were not more than two hundred Spanish troops. Galveston alone, so lately occupied, seemed to be in a prosperous condition—prosperous, because fed by the industry of Governor Aury's privateers. Unfortunately for Aury, he had taken into his service some men of bad character, who did not confine themselves to depredations against Spanish commerce. Three or four American vessels, engaged in a lawful trade, became victims to their cupidity. Governor Aury had on the island his court of admiralty, in which he sat as judge. Among the prizes taken were many Spanish slavers. The slaves were brought into Galveston. It became a question of some importance what to do with them. The new government had no use for them; there were no purchasers for them in Texas; it would not do to return them to the enemy; and it was a violation of the laws of the United States to introduce them there.[‖] The latter alternative, however, as most profitable and convenient, was adopted. There were two modes of transferring these captive negroes into the United States: one by water, through the bayou La Fourche; the other by land, from Point Bolivar to Bayou Bœuf and Alexandria. The Barratarians, who had engaged in the service of Aury, undertook the former mode. They were well acquainted with all the outlets of the Mississippi, and likewise with the inhabitants of La Fourche. Those of Louisiana wishing to purchase would repair to Galveston, the mouth of the Sabine, or Calcasieu, and engage the lot they wanted, which were afterward driven to them by night. Those introduced by land were purchased by companies, brought to a customhouse-officer in Louisiana, and denounced as imported Africans. They were then sold under the law by the marshal, repurchased by the company, who as informers obtained half of the purchase-money, and by them resold to the planters. The price of negroes at Galveston was a dollar per pound, or, on an average, one hundred and forty dollars per head.*

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* Don Vicente Pasos to President Monroe. American State Papers, vol. xii, p. 402, *et seq.*

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[*] Kennedy, History of Texas, vol. i., p. 291.

[†] American State Papers, vol. xi., p. 346.

[‡] Bean's Memoirs.

[‖] Letter of Vicente Pazos. American State Papers, vol. ii., p. 416.

The rich and valuable prizes brought into Galveston supported the establishment handsomely. The troops and officers were regularly paid at the end of every month. Provisions and munitions of all kinds were readily procured from New Orleans. General Bernardo Gutierres, as agent at Natchitoches, was promptly supplied with funds.† The government of Aury kept up a regular correspondence with the patriots in Mexico, through the port of Nautla.

The chiefs at Galveston consisted of Aury, military and civil governor of Texas, with a command of three or four hundred men, besides his privateers; Colonel Perry, stationed at Bolivar point, with about one hundred men; and Xavier Mina, with some two hundred more. Each of the commanders, ambitious of distinction, and bound to obedience by no superior authority, manifested more or less jealousy of the others. The object of the latter two was to invade Mexico, but in this project they did not have the hearty co-operation of Aury. Nevertheless, preparations were made for the invasion. In March, 1817, one of Aury's privateers captured a Spanish vessel from Tampico, and from its correspondence learned of the defenceless condition of Soto la Marina, a town standing on an elevation, on the left bank of the Santander, about sixty miles from the mouth of the river. The three commanders immediately determined to take possession of that place. Accordingly, on the 6th of April, they sailed, with their entire naval and military force,* and the town fell into their hands without opposition.

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* Letter of John J. Bowie to De Bow's Review, 1853. The three Bowies—Reson, James, and John—made sixty-five thousand dollars in this trade. On one occasion, in 1818–'19, a lot of negroes escaped from James Bowie, on the route to Alexandria. They were perhaps taken off by the Indians. He pursued them to the upper waters of the Colorado, but the Indians became so hostile, that he returned without effecting his object.

† American State Papers, vol. xi., p. 846. Kennedy, vol. i., p. 292.

It is proper here to remark that, in this expedition, Colonel Perry disclaimed the authority of Aury, and placed himself under the command of Mina. Aury, after landing the force, disgusted with what he chose to call the insubordination of his co-ordinate chiefs, left them and returned.

General Arredondo, commandant-general of the northeastern internal provinces, receiving intelligence of this invasion, took measures to raise a large force for meeting it. Mina, after fortifying and arming his position at Soto la Marina, was ready to march into the interior, his force consisting of only three hundred men. Colonel Perry, after declaring that the force was too small to effect anything, and that to advance would end in their destruction, determined to abandon the expedition. He did so, taking with him about fifty of his men.†

General Mina, although left with so small a force, was in no wise discouraged, and set out on his march. On the 8th of June, 1817, he gained a victory, at Valle de Mais, over four hundred cavalry. At Peotillos, on the 14th, he defeated an army of seventeen hundred men; but in this last battle his loss in killed and wounded was fifty-six. On the 18th, he took Real de Rinos with its garrison of three hundred men; and, after various successes and reverses, he was defeated and captured by General Orrantia, at Venadito, on the 27th of September, 1817, and by order of the viceroy Apodaca was shot at Remedios on the 11th day of November.*

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*Letter of Vicente Pazos. American State Papers, vol. xii., p. 409.

† Kennedy, vol. i., p. 296.

We will now return to Colonel Perry. He set out on his march by land to return to the United States. For three hundred leagues he was compelled to traverse the territory of the enemy. Shortly after his departure from Soto la Marina, the forces of Arredondo attacked and recaptured that town, while a detachment of two hundred royalist cavalry was despatched in pursuit of the retreating republicans. Unconscious of this enemy in his rear, Perry advanced to La Bahia, the scene of so many battles with Salcedo. He immediately demanded the surrender of the garrison; but, while the necessary negotiation was in progress, the royalist cavalry came up. The garrison, encouraged by this unexpected aid, sallied out of the fort; and Perry found himself engaged, in front and rear, by an enemy of five times his own numbers. He continued the unequal conflict, however, until every one of his men had fallen! Seeing himself thus helpless, the intrepid soldier blew out his own brains with his pistol†—thus ending his life as did his gallant commander Magee, at the same place, five years before.

Let us now recur to Galveston. Jean Lafitte, it appears, was the eldest of three brothers, natives of Bordeaux in France. At an early age he ran away from home, and joined a British vessel-of-war. His father pursued him, and brought him back. He absconded the second time, and joined the British frigate Fox. Here, after serving for some time, he deserted, and went to live with a French family at Deptford. He did not remain long in this family, but, finding quarters in a vessel for South America, he took passage, and went to Carthagena, and afterward to Santa Martha, which last-named place he for a time made his home. Here he managed to fit out a privateer, with which he often visited the coasts of the United States, particularly Charleston. But, having killed a rival in an affair of the heart, he left that port, and frequented the West India seas.* In the year 1807, the United States laid an embargo upon foreign commerce, which offered great temptation to persons of easy virtue to engage in illicit trade. New Orleans afforded a good market; while the various bays, lakes, and bayous, about the mouth of the Mississippi, furnished a secure retreat and means of smuggling.

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* Kennedy, vol. i., pp. 298, 299.

† Ib., p. 297.

The island of Grand Terre, situated about sixty miles from the delta of the Mississippi, stands in the entrance of a lake behind it, which connects by a narrow pass on each side of the island with the gulf of Mexico. The surface of the island is undulating, and covered with a small growth of wood, and its waters abound in turtle and fish. Previous to its occupation by the buccaneers, it was uninhabited, but frequented by fishermen. About the year 1810 or 1811, it was selected as the rendezvous of individuals of various nations, who, driven from their homes by the wars which for so many years had ravaged Europe and America, had engaged in a clandestine and lawless trade.† From the nature of this traffic, the island soon obtained, by general consent, the name of *Barrataria*.‡ Though there were many leaders engaged in this business, and connected by no other tie than that of plunder, yet Jean Lafitte, from the superiority of his privateers, his prudence in their management, and the completeness of his arrangements, soon acquired over the other chieftains of Barrataria an authority and power nearly absolute. His two brothers, Pierre and Henri, or Antoine, were located at New Orleans, and acted as his factors in disposing of his prizes, and in furnishing him with supplies. So adroitly did Jean manage this business, that, though his brothers were often brought within the clutches of the law, he always escaped. In addition to his other advantages, he had interested in his business many of the principal merchants and traders in and about New Orleans. Thus, in a year or two, the honest and fair traders of that city were greatly injured, and the public morals so corrupted, that the state of Louisiana was well-nigh disgraced.*

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* Such is the account given of Lafitte by his favorite lieutenant, "Jim Campbell." — *United Service Magazine*, 1852.

† Proclamation of President Madison, February 5, 1815.

‡ From *barat* (an old French word), signifying *strife*, *deceit*; hence *barratry* (in commerce), any species of cheating or fraud, in a shipmaster, by which the owners or insurers are injured — as, by running away with the ship, &c. — *Webster, in loc.*

To correct this state of things, Governor Claiborne, on the 15th of March, 1813, issued a proclamation, commanding the Barratarians to disperse. Failing in this, the governor then offered a reward of five hundred dollars for the head of Jean Lafitte. The daring freebooter replied by an offer of fifteen thousand dollars for the head of his excellency! The latter, seeing his authority thus set at defiance, sent a company of militia to Barrataria, to break up the establishment. Unfortunately, it was commanded by one of Lafitte's old captains. Lafitte surrounded them, loaded them with presents, and sent them home.† All these steps being reported to President Madison, Commodore Patterson, of the United States navy, was ordered, early in 1814, to destroy the establishment.

Accordingly, on the 11th of June, 1814, the commodore left New Orleans, accompanied by Colonel Ross and seventy-one picked men of the 44th regiment, United States infantry. He took with him the schooner Caroline and the United States gunboats at the Balize. On the morning of the 16th he reached Barrataria. The town consisted of about forty houses, of different sizes, badly constructed, and thatched with palmetto. The vessels of the freebooters consisted of six fine schooners and one felucca, as cruisers, and one armed schooner, under Carthagenian colors. The rovers came out to meet the commodore, and formed their vessels into line of battle, having mounted on them twenty pieces of cannon, and exhibiting a force of eight hundred or a thousand men. But when they saw the commodore determined, and still advancing, they abandoned the place and fled, concealing themselves in the numerous morasses of the surrounding country. The commodore returned to New Orleans on the 23d of June, bearing with him the vessels and spoil of Barrataria.

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* Report of the grand-jury of the United States district court of Louisiana, July 28, 1814.

† De Bow's Review, 1851, and United Service Journal, 1852. The author of the article in De Bow is certainly not much acquainted with the Texan portion of Lafitte's history.

This expedition so crippled the freebooters, that they could only operate afterward with great secrecy. The war between the United States and Great Britain prevented further attempts against them. They were, however, approached by the British in a different manner. On the 3d of September, 1814, Captain Lockyer, commander of his majesty's man-of-war Sophia, put in to the shore at Barrataria, and offered Lafitte the rank of post-captain in the British navy, the command of a frigate, and thirty thousand pounds sterling, to join his majesty's forces. Lafitte asked two weeks' time to consider the proposal, giving the captain some hope, however, that he would accept it.

The next day, Lafitte enclosed the written propositions to Governor Claiborne, writing him also a polite letter, tendering his services to the United States, on condition that he and his adherents should be protected from further interruption. The offer was accepted; and Lafitte and his men, stationed at the guns near the *levée*, on the 8th of January, 1815, did such service as to call forth a general pardon from the president of the United States.*

The vigilance of the government, and the promises of Lafitte, prevented him from re-establishing himself at Barrataria. After a visit to Washington city, in which he squandered his wealth with princely profusion, he endeavored to establish his headquarters at Port-au-Prince,† but failed. While he was wandering over the gulf of Mexico with his adherents, Aury sailed from Galveston on the expedition against Soto la Marina; and, in a few days afterward, the island was occupied by the buccaneers of Lafitte.

The number of his followers on the island was about forty persons. On the 15th of April, 1817, the captains and owners of vessels then present, consisting of Louis Itourribarria, Louis Derieux, A. Pironneau, John Ducoing, Rousselin, Rd. Espagnol, and Bartholomew Lafon—seven in all, Lafitte not choosing to have his name used—met on board the schooner Carmelita, for the purpose of taking the necessary oath of fidelity to the Mexican republic. Derieux, as commandant, was duly sworn by Itourribarria; the others were severally sworn by Derieux. Having reduced this proceeding to writing, they signed it, and filed it as an evidence of the existence of a government at Galveston.

By the 20th of the month, other sailing-craft had come in; and, after due notice given, all the captains and owners of vessels assembled on board the schooner Jupiter, and proceeded to choose officers, and lay down such rules of government as they required. Derieux was confirmed as military commandant, Pironneau was appointed adjutant commandant, Ducoing judge of admiralty, Rousselin administrator of the revenue, Espagnol secretary of the public treasury, and Jean Jannet marine commandant of the place.*

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* Dated February 5, 1815.

† Letter of Collector Chew; American State Papers, vol. xi., p. 351.

The laws established by the buccaneers consisted of regulations concerning the mode of distributing the gains of their profession, and the payment of the officers' salaries.

This new government had not the odor of legitimacy which attached to that of Aury. The latter was duly appointed by Manuel Herrera, commissioner from the Mexican republicans to the United States; and Herrera certainly received his appointment from President Morelos.† Whether with or without the sanction of Aury, the Lafitte government stipulated for the payment of all the old debts of Aury's administration, provided the creditors were not *non-residents.* This clause had the happy effect of withdrawing from Aury's banners such of his followers as held claims against the old government.‡

The extent of Lafitte's authority as a cruiser will appear from a statement of his connection with Colonel Ellis P. Bean. In the latter part of 1814, Bean was despatched by General Morelos, the then president of the revolutionary party in Mexico, on a mission to the United States, to procure aid for the patriot cause. At the port of Nautla, Bean found one of Lafitte's vessels, Captain Dominic master, and, informing him of his business, was taken on board, and landed at Barrataria. Here Bean saw Lafitte, and imparted to him the object of his mission. The buccaneer-chief conducted him by a near way to New Orleans; and, upon an invitation from General Jackson, with whom Bean was an old acquaintance, the latter took command of one of the guns at the *levée* on the 8th of January, and fought by the side of Lafitte in that battle. It was from

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* American State Papers, vol. xi., pp. 858, 886, *et seq.*

† See Bean's Memoirs.

‡ See Appendix No. 3.

Colonel Bean that General Jackson received a detailed account of the conduct of the Barratarians on that day. Lafitte, being pardoned, and hoping for more honorable employment through the agency of Colonel Bean, furnished a fine schooner to transport the latter, and the munitions he had procured, back to Nautla. There is no doubt but that Bean gave Lafitte a commission to cruise against the enemies of the Mexican republican party; but, whether this commission was given before or after the battle of New Orleans, is uncertain. We are also informed, from Colonel Bean's letters, that this appointment was afterward confirmed by the republican authority in Mexico.*

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* These facts are collected from Colonel Bean's letters to Captain William Shaw, his uterine brother (MS.).

CHAPTER XV.

Commodore Aury, having returned to the coast of Texas about the 10th of May, 1817, put in at Matagorda bay, for the purpose of making preparations to remove his government to that point; and, after spending some days at this place, he proceeded to Galveston. At his departure from the island on the 5th of April, he had burnt and destroyed all the houses and cabins, leaving only an advice-boat and his collector, Pedro Rousselin. But when he returned, he found the Lafitte government in "full blast," and his collector Rousselin occupying the same office in the new administration! He found also that the place had degenerated into a nest of pirates; that the privateers cared little for the nationality of the vessels they met with on the sea, provided the cargo was valuable; and that, although Ducoing was pretending to act as judge of admiralty, yet his decisions were dictated by the captors, who, unless it suited their interest or convenience, would not even furnish him with a paper on which to form a judicial opinion.* Aury, to acquit himself of the charge of being connected with these offenders, addressed a letter to Manuel Herrera, the Mexican minister, dated July 21, 1817, informing him that he had for the present determined to abandon Galveston, that he had taken Rousselin the collector with him, and that all proceedings there after the 31st of July would be without his consent. He addressed a similar letter to Beverly Chew, the collector at New Orleans, on the 28th of the month.*

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* Letter of Captain Charles Morris, of the navy: American State Papers, vol. xi., p. 376.

But Aury did not remain long at Matagorda. When Toledo deserted the patriots and went over to the royalists, he communicated to the Spanish government the designs of the former upon Florida. Spain then concluded to cede that province to the United States. Of this fact the patriots received intimation, and took immediate steps to conquer the territory in question before Spain should part with it. The agents of the revolted colonies of Venezuela, New Grenada, Mexico, and La Plata, then at Philadelphia, on the last day of March, 1817, commissioned Sir Gregor M'Gregor to take immediate possession of both the Floridas.† Accordingly, on the 30th of July following, he took possession of the small island of Amelia, lying on the west of the peninsula, between the mouths of the St. John and St. Mary rivers. Aury, getting news of this, hoisted sail, taking a final leave of Texas, and went to assist M'Gregor in his conquest.‡

By the close of the year 1817, the followers of Lafitte on Galveston island had increased to nearly a thousand men. They were of all nations and languages—refugees from justice and victims of oppression, who had fled from their own countries, and, hearing of his prosperous state, came hither to find employment. Lafitte made a show of fair dealing, and obtained commissions from some of the revolted colonies of Spain; but, though he assumed to act as a privateer, he was in reality a pirate, and so were his chief men. The names of Dominic, Jim Campbell, Churchill, Franks, Roach, Lambert, Marotte, Pluché, Giral, Felix, Lopez, and Brown, his active lieutenants, were a terror to the commerce of the gulf of Mexico.* Complaints of their rapacity were repeatedly made at Washington city; and the authorities of the United States would have broken them up, but for the Spanish minister. The island of Galveston was claimed by both governments; and the jealousy of Spain would not suffer that the United States should disperse the buccaneers from their haunt, lest the latter power should afterward hold it on her own account.† On the other hand, as Spanish commerce suffered ten times as much by their depredations as that of any other country, if that government was willing to submit to it, of course, the United States ought not to object! In fact, Lafitte's men inflicted on Spanish commerce in the gulf a blow from which it has never recovered. It was a retributive justice visited upon that nation for her bigoted adherence to the royal exterminating order of Philip II. They had sown to the wind, and had reaped the whirlwind!

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* American State Papers, vol. xii., p. 423; ib., vol. xi., p. 355.

† See his commission, American State Papers, vol. xii., p. 421.

‡ Ib., pp. 408, 409. Aury, after serving the cause of the patriots for some years, returned to New Orleans, and, being a fine-looking man, married a rich widow. Some time after, however, they separated; and, as late as 1845, he was residing at Havana.—*United Service Journal*, 1852.

About this time, Texas was reinforced by a party of French under General Lallemand, of the artillery of the imperial guard. After the second restoration of the Bourbons, several of the military officers of Napoleon retired for safety to the United States. They were kindly received; and a large tract of the public lands in Alabama was given them, on condition of their cultivating there the vine and the olive. They were not, however, successful. Some of them, attributing the failure to the climate, sought one more favorable. Among these were Generals Lallemand and Rigaud. They were about a hundred in number; and, proceeding up Galveston bay and Trinity river, they settled at the first high land. After erecting a fort, they prepared for cultivating the soil. But the scarcity of provisions, the privations they underwent, and the jealousy of the Spaniards, soon induced them to return to Galveston, where they added grace and elegance to the society of Campeachy. General Lallemand returned to the United States, to furnish them with an excellent treatise upon artillery. Many of his followers remained upon the island, and probably others proceeded to New Orleans. They were on excellent terms with the Indians, and it is probable that, if they had not been interrupted by the Spaniards, they would have ended their days at the *Champ d'Asile*, the significant name given by Lallemand to their settlement.

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* United Service Journal, 1852. † American State Papers, vol. xii., p. 11.

Lafitte was a well-formed, handsome man, abont six feet two inches in height, strongly built, with large hazel eyes, black hair, and generally wore a mustache. He dressed in a green uniform and an otter-skin cap. He was a man of polite and easy manners, of retired habits, generous disposition, and of such a winning address, that his influence over his followers was almost absolute. He located his town on the ruins of Aury's village, built him a house, which he painted red, and threw up around it a fort. Very soon many other houses were erected. His followers, who had wives or mistresses, brought them there, and society at Galveston, whatever may be said of its morals, began to have all the elements of permanency. Through New Orleans they were supplied with building-materials and provisions; a "Yankee" boarding-house sprang up; and, to complete the establishment, they constructed a small arsenal and dockyard.*

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* United Service Journal. The knowledge we have of Lafitte's establishment was acquired through the agents of General Long, who visited him in 1819, and were entertained by him with great hospitality for some weeks.

The Cooshattie Indians, who, out of regard to the Spaniards, had emigrated west as far as the banks of the Trinity, were constant visiters at Galveston. So likewise were the Carankawaes, who sometimes resorted to the west end of the island. On one occasion, some of Lafitte's men stole away one of their best-looking squaws, and detained her. Determined to have revenge, the Indians sought an opportunity, when a party of the buccaneers were hunting down on the island, and killed four of them.

When the Indians came over from the main land, they left their canoes in an inlet on the bay-side, and encamped at the "Three Trees." This fact was soon known at Campeachy (the name Lafitte had given his town), and preparations were made to attack them. They were about three hundred strong. Lafitte marched against them with two hundred men and two pieces of artillery. The battle consisted of repeated skirmishes, and lasted two or three days. The Indians were at length compelled to retreat to the main land, with a loss of thirty killed, and a large number wounded. Lafitte lost none of his men, but had many wounded with arrows. The Carankawaes once again ventured to come on the island while Lafitte was there, but fled on the approach of his men sent against them. It was this conduct of the pirates toward these Indians that afterward made the latter so hostile to the Texan colonists under Austin.

The condition of the settlements on the frontiers of Louisiana, and the other states bordering on Florida, had now become such, that an immediate treaty of limits was indispensable. Spain having announced her willingness to part with the Floridas, the main difficulty was in settling the boundary between Louisiana and Texas. The United States proposed the Colorado: Spain proposed a line near Red river. In the discussions between the two governments in 1803, Mr. Pinkney had offered, as a consideration for certain territory, that the United States would guaranty to Spain her possessions west of the Mississippi. At that time Spain did not want that guaranty; but in 1818, the Spanish government, as a condition of the cession, insisted upon this guaranty, which the United States refused. This point being settled, the American government first proposed, in lieu of a guaranty, to make a desert of twenty leagues west of the Colorado. It then modified it by proposing that for thirty miles on each side of that river no one should be permitted to settle. The cabinet of Madrid wisely refused such a proposition, but whether with a wise motive is doubtful. At last, the Sabine was agreed on as the boundary-line between the two nations, and the treaty was signed on the 22d of February, 1819.*

This treaty, though ratified by both governments, was unsatisfactory to many, inasmuch as it bartered Texas—to which they considered that the United States had a just claim—for Florida, which they did not esteem as valuable. As it was a fundamental maxim with the United States never to relinquish any part of her territory, the demurrers to the treaty considered the abandonment of Texas to Spain as a violation of that maxim, and of the constitutional integrity of the Union. This dissatisfaction continued, and was only allayed by the disruption of Texas from Mexico in 1836, and her reannexation to the Union in 1845.†

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* American State Papers, edition of 1834, vol. iv.; *Foreign Relations*, vol. iv., p. 517, *et seq.*

† Henry Clay (speech of April 3, 1820), speaking of the cession of Texas to Spain, said it was unconstitutional, as being beyond the treaty-making power in the government. Robert J. Walker (letter to the people of Carroll county, Kentucky, in 1844) says it was a violation of our treaty of 1803 with France, by which we pledged ourselves to that nation, as well as to the people of the territory, to incorporate them into the Union.

The province of Texas, unconscious of these negotiations of the high contracting parties, and prostrated by the Gachupin war and the terrible visitation of the conquerors, had almost relapsed into a state of nature. But preparations were making at Natchez to bring her again to life. A public meeting was held in that place early in 1819, and a company of volunteers raised for the invasion of Texas. The command was tendered to Dr. James Long, formerly of Maury county, Tennessee. He had been a surgeon in Carroll's brigade at the battle of New Orleans, and at the close of the war had settled at Natchez, where he was pursuing his profession. He accepted the command, and, on the 17th of June, set out on his march with a force of seventy-five men,* continuing his course without opposition to Nacogdoches. On the route he had received large additions to his party, so that at Nacogdoches he mustered a force of about three hundred men. Among them were Colonel Samuel Davenport (the contractor in Magee's expedition), Bernardo Gutierres, and other refugees from Texas, who sought this opportunity of returning to their country, from which they had been absent about six years.

On arriving at Nacogdoches, General Long and the leading patriots established a provisional government, controlled by a supreme council. This council was composed of Horatio Bigelow, Hamlin Cook, Stephen Barker, John Sibley, Samuel Davenport, John G. Burnett, J. Child, Pedro Procello, and Bernardo Gutierres. The council issued a declaration, proclaiming Texas to be a free and independent republic.† They then proceeded, in a few days, to pass such laws in regard to their organization, the raising of revenue, and the disposition of the public lands, as their present necessities required. Among their land-laws, they provided for the sale of lands on Red river at not less than one dollar per acre, and other lands farther in the interior at prices corresponding with their quality. One fourth of the purchase-money was to be paid in cash, and the balance in annual instalments. They also established a printing-office, the first in Texas, of which Mr. Bigelow was the editor.

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* Foote, vol. i., p. 203, *et seq.*

† Mr. Foote says, in his account of the affair, that the council met on the 22d of June, and declared their independence the next day. This must be an error, if they left Natchez on the 17th.

The next step taken was to occupy the country. David Long, a brother of the general, was despatched with merchandise to the upper crossing of the Trinity, to trade with the Indians. Major Smith, who had come with a command of forty men, by way of Galveston, was stationed at the Cooshattie village on the Trinity. Captain Johnson was sent to establish a trading-post at the falls of the Brasos. Captain Walker, with twenty-three men, was despatched to fortify the position a mile below the present town of Washington; and Major Cook was sent to Pecan point.*

Having made these dispositions, General Long was desirous of obtaining the aid of Lafitte. He accordingly despatched Colonel Gaines and another person to Galveston, to lay the matter before him. Arriving at Anahuac, they procured canoes, and coasted to the island. They were conducted to the "Red House," where, as previously remarked, they were received and treated with great hospitality by the pirate-chief. They made known the object of their mission, but received no aid. Lafitte informed them that General Long had his best wishes for his success; that he himself had been engaged for eight years in waging war against the royalists of Spain; but that the fate of Perry, Mina, and others, should be a warning against an invasion by land except with a considerable force.†

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* Foote, vol. i., p. 205.

† United Service Journal.

General Long, believing that a personal application to the buccaneer would meet with greater success, set out himself to revisit Galveston. At the Cooshattie village, however, he received intelligence of the approach of the royalists, under Colonel Perez. He immediately despatched orders to his outposts to concentrate at the Cooshattie village, and hastened on his journey to Galveston.

During the general's absence, Major Cook, who had returned from Pecan point, and been placed in command of Nacogdoches, resumed his old habit of drunkenness. His example was readily followed by the republican garrison; and thus the post was rendered an easy prey to the enemy. General Long, meeting with no success at Galveston, returned to the Indian village before mentioned, where he was informed, by a letter from his noble wife, then at Nacogdoches, of the rapid approach of the royalists, and the wretched condition of the forces under Cook.

In the meantime, the royalists, on the 11th of October, 1819, attacked the trading-post of Captain Johnson on the Brasos, and took eleven of the party prisoners; while the others, seven in number, fled down the river to Walker's fort, at La Bahia crossing. They were pursued by three hundred and fifty of the enemy, who, on the 15th, attacked the fort, and drove the republicans out of it. The latter fled, leaving their arms, baggage, and provisions.

While the retreating forces of Walker and Johnson, about thirty-five in all, were making their way to the Cooshattie village, the royalists set out to attack the trading-post of David Long, on the Trinity. After a gallant defence, Long was killed, and his forces fled to Nacogdoches. They were pursued; but when the royalists entered the place, they found it entirely evacuated. General Long had barely time to escape with his family to the Sabine

At Nacogdoches Colonel Perez sent a detachment of his men in pursuit of the fugitives, while with the main body he marched against the republicans under Major Smith, at the Cooshattie village. Smith, with the addition of Walker's and Johnson's commands, had about seventy-five men. Hearing of the advance of Perez, he retreated to a prairie on the river, about forty miles below the village, but was pursued, and a considerable battle was fought, in which there were several killed on both sides, but the republicans were routed and fled. The greater portion of them obtained canoes, and passed over the Trinity to Bolivar point, where they awaited the further orders of General Long. The latter, after conducting his family to Natchitoches, passed down, by way of Calcasieu, to Bolivar point, where he met the remnant of the republican army.* Here he established a fort, and fortified it. In this work he had the aid of Colonel Trespalacios. Having completed his arrangements, he repaired to New Orleans to obtain further reinforcements and supplies.

To return to Captain Lafitte. In 1819, he was taken into the service of the republican party of Mexico, and appointed governor of Galveston. But he soon got into a difficulty with the United States. A ferocious character, by the name of Brown, had applied to Lafitte to be taken into his service. After some hesitation, he was received, but with the express understanding that, if he interrupted the commerce of any other nation than Spain, he should be hanged. In October, 1819, Brown left the island, in command of two armed boats, and shortly after robbed an American vessel near the Sabine pass. The boats were pursued and captured by the United States revenue-schooner Lynx, Captain Madison, while the robbers

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* James Bowie accompanied General Long in his first expedition. — *United Service Journal.*

[illegible]

S. F. Austin

Redfield Publisher
New York

escaped to the land, and followed the coast to Bolivar point, and thence went over to Galveston. The Lynx sailed down to the island in pursuit of them. Lafitte, suspecting the object of Captain Madison, performed his promise to Brown, and hung him on a conspicuous gibbet. Captain Madison, seeing Brown thus suspended, could not suppose that Lafitte, the polite republican governor of Galveston, would harbor such men. He therefore sent his lieutenant, M'Intosh, over to the island, to demand Brown's associates. They were promptly delivered up. This conduct appeared satisfactory; yet the Lynx still hovered upon the coast. Lafitte, not wishing to be watched so closely, addressed a note to Captain Madison, informing him that Galveston belonged to and was in the possession of the republic of Texas, and was made a port of entry on the 9th of October, 1819; that he was appointed governor of the place; and that if the captain of the Lynx had any demands against him or his people, to make them known, and they should be attended to.* No further attention was given by the United States to the movements of Lafitte until the following year.

In 1820, among other depredations committed by Lafitte's cruisers, an American vessel was taken, plundered, and scuttled, in Matagorda bay. A commission, consisting of Messrs. Davis, Oliver, and Johnson, was sent by the United States to examine into the affair. Their report was unfavorable to Lafitte, which, together with the repeated complaints of the Spanish minister at Washington, induced the American government, early in 1821, to despatch Lieutenant Kearney, with the brig Enterprise, to break up the establishment at Galveston. Lafitte went over the bar to meet the lieutenant, conducted him to the "Red House," and treated him with that politeness and hospitality which, as the prince of freebooters, he knew so well how to dispense; but Kearney's orders were positive, and were communicated to Lafitte. The buccaneer, therefore, immediately prepared for his departure from the island. He paid off his followers, supplied them with money, and gave them leave to disperse. He then sent to New Orleans for William Cochrane, one of his trusty lieutenants, who repaired to Galveston with sixty men. He had the Pride, his favorite vessel, got in readiness; and the very day he was to sail, General Long, with Colonel Milam and other recruits, reached the island. Long dined with Captain Lafitte; and the next tide carried outside the bar the Pride and other vessels comprising the fleet of the renowned buccaneer-chief, who abandoned the shores of Texas for ever.*

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* De Bow's Review, October, 1851. This letter of Lafitte was dated November 7, 1819.

Before proceeding further with the movements of General Long, it will be proper to refer to the more important features of the Mexican revolution.

The viceroy Apodaca, who superseded Calleja in September, 1816, found that the royalists had rather dispersed than conquered the republicans; and, to win them back to their loyalty, he adopted a mild and pacific policy. This had almost the desired effect. The partisans of the revolution threw down their arms and surrendered upon the mild terms of Apodaca. This was so universal, that, with the exception of the country between the capital and Acapulco, there was not a single republican remaining under arms. In an almost inaccessible mountain on this road, however, the revolutionary chieftains Guerrero, Asensio, and Colonel Bradburn (of Virginia, who had gone to Mexico with Mina), had fortified themselves, and with some fifteen hundred followers made occasional excursions into the surrounding country.

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* Lafitte and Cochrane still continued to cruise against Spanish commerce for some years. In 1822, the former visited Charleston. Cochrane was captured, and thrown into the castle of San Juan d'Ulloa, off Vera Cruz, where he remained till the close of the Mexican revolution, when he was received into the service of the new republic, and rose to the rank of commodore. Lafitte occasionally visited Sisal, and the island of Margarita, near the mouth of the river Orinoco. He died at Silan, a town of Yucatan, about fifteen miles from Merida, in 1826, and was buried in the *Campo Santo* of that place.—*De Bow's Review, October*, 1851; *United Service Journal*, 1852; *Letter of Thomas M. Duke, of May*, 1843, *to F. Pinckard.*

For the purpose of reducing this last stronghold of the revolutionists, the viceroy appointed General Iturbide to the command of the department of the south, and gave him a force of three thousand veteran troops. He had his headquarters at Iguala, on the road to Acapulco, and about eighty miles from the city of Mexico.

To have a better understanding of the events that followed in Mexico, it is necessary to observe that a revolution had occurred in Spain: the old constitution was re-established, and the cortes had introduced many reforms among the Spanish clergy. The intelligence of these important changes had but recently reached Mexico, and produced great alarm among all classes of the clergy; and they found no difficulty in persuading the lower orders of the people that the introduction of such reforms into Mexico would be followed by the ruin of their ancient religion![*] The viceroy himself was opposed to the peninsular reforms, and made no secret of his aversion to their introduction into the colony. The Mexican press, moreover, under the new liberty it enjoyed, declared that independence of the mother-country was the only remedy against such impending evils.

Iturbide, though by birth a native, was the son of European Spaniards, and was capable of anything that would promote his own ambitious views. He had distinguished himself in the royalist cause; but he saw in the late revulsion of popular feeling, and in his present position, that a change of sides would be to his advantage. After forming his plans, and securing the co-operation of the clergy, together with the aid of the patriots Guerrero, Asensio, and Bradburn, he seized a million of dollars of the king's treasure, then on its way to Acapulco for transportation, and issued his *pronunciamento*, drawn up at Iguala. This document proposed the independence of Mexico; that the government should be a constitutional, limited monarchy; that the crown should be tendered to the Bourbon family in succession, commencing with King Ferdinand VII.; if they all refused, then the Mexican cortes should designate the monarch; and that the Roman catholic religion should be protected.

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[*] Letter of James Smith Wilcocks, dated Mexico, October 25, 1821: American State Papers, *Foreign Relations*, vol. iv., p. 837. Ed. 1834.

The pronunciamento was dated on the 24th of February, 1821. Iturbide sent a copy of the plan to the viceroy, for his approbation. Apodaca, left to himself, would have concurred in it; but he was overruled by his council, and Field-Marshal Linan despatched with an army against Iturbide. The latter, however, having the patriots, a good portion of the Spaniards, and, above all, the clergy, on his side, had taken Acapulco, and was on his march to Valladolid, before Linan left the capital. The whole country was soon in arms. The royalists were everywhere defeated; and those of them yet remaining in the city of Mexico, suspecting the fidelity of Apodaca, proceeded, on the 5th of July following, to imprison him, and place General Novella in the viceregal chair.

A few days after this event, Lieutenant-General Don Juan O'Donojú, who had been sent out by the reformed government of Spain as captain-general and political chief of Mexico, arrived at Vera Cruz. Learning the state of things then existing, he wrote to Iturbide, applauding what he had done, and requesting an interview. It took place at Cordova; and, on the 24th of August, 1821, the two chieftains agreed to the plan of Iguala, with some modifications, and signed and published the treaty.*

Until intelligence could be received from Spain, a regency of six persons was appointed, of which Augustin de Iturbide was president; and, until the assembling of a Mexican congress, there was likewise appointed a legislative *junta* of five persons, of which O'Donojú was a member. Thus the revolution in Mexico was accomplished; and, by the refusal of Spain to acknowledge the treaty of Cordova, she became independent.

General Long remained only a short time at Galveston after the departure of Lafitte; but, collecting his forces in transports, he sailed down the coast to the mouth of the San Antonio river, and marched upon La Bahia. It appears that, in this expedition, the Mexican colonel Trespalacios was playing the part of Gutierres: he was nominally in command. But, in order to raise funds, Trespalacios and Milam, instead of landing at the mouth of the San Antonio, proceeded on to Mexico. The forces under Long took possession of La Bahia without difficulty.†

The proclamation of the treaty of Cordova put an end to the royalists and the campaign. Yet it seems that Long and a portion of his followers were taken prisoners and sent to the city of Mexico. The general himself was set at liberty, and then assassinated in the city. His men were released and sent home on the 11th of November, 1822, at the instance of Joel R. Poinsett.‡

The faithful wife of General Long remained at Point Bolivar many months, awaiting her husband's return. At last, receiving news of his death, she rejoined her friends in the United States.

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* American State Papers, vol. iv., *Foreign Relations*, p. 841, *et seq.* Ed. 1834.

† This part of General Long's history is quite contradictory. Kennedy, vol. i., p. 300; Foote, vol. i., p. 216.

‡ Poinsett's Notes on Mexico, p. 122.

Thus, in 1822, Galveston was again desolate. The town of Campeachy was laid waste, and the island only visited by occasional hunters after Lafitte's buried treasure.

We have herein traced the history of Texas through the dim records of a hundred and thirty-six years, rarely finding in that long period a congenial spot for human happiness. Ignorance and despotism have hung like a dark cloud over her noble forests and luxuriant pastures. But a new era is about to dawn upon the province. Austin and Edwards are preparing for a conquest more glorious than those of Napoleon, and infinitely more useful to the world.

CHAPTER XVI.

If he who, by conquest, wins an empire, and receives the world's applause, how much more is due to those who, by unceasing toil, lay in the wilderness the foundation for an infant colony, and build thereon a vigorous and happy state! Surely there is not among men a more honorable destiny than to be the peaceful founder and builder of a new empire. Such was that of the younger Austin. His father, Moses Austin, was a native of Durham, Connecticut. His life, like that of his son, was one of enterprise. After marrying in Philadelphia, he engaged in business in the lead-mines of Wythe county, Virginia. His operations here proving unsuccessful, he removed to certain mines situated in Washington county, Missouri, then forming a part of Louisiana. It was about the beginning of the present century that he departed for that point, taking with him a small colony of emigrants and operatives.*

The great expenses of his establishment, and the generosity of his disposition, again involved Austin in financial difficulties. As he had lived for the first three or four years in Missouri under the Spanish government, he had acquired a knowledge of the customs, laws, and perhaps the language, of that people, and had gained, withal, some information in regard to the province of Texas He had long cherished the idea of making a settlement and bringing a colony to the country.

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* Holly's Texas, p. 282, *et seq.*

Accordingly, in 1820, he set out for the province, and in December of that year reached Bexar. Making known his object to the baron de Bastrop, with whom he had some previous acquaintance at New Orleans, he was introduced to Governor Martinez, to whom he explained his projected enterprise.

A suitable memorial was drawn up, and, after being approved by the local authorities, was forwarded to the commandant-general of the northeastern internal provinces.* The memorial asked for permission to colonize three hundred families. The commandant-general, Don Joaquin Arredondo, then resided at Monterey, and the answer to the application would necessarily require some time. Austin, unable to await the result, left the baron de Bastrop to act as his agent in the affair, and set out on his return from Bexar in January, 1821. At that time the route from Bexar to the Sabine was an unsettled waste. In journeying over it, Austin was robbed and deserted by some who were travelling with him, and left to make his way, as best he could, to the Louisiana settlements. The exposure and fatigue were too much for him, but he reached home in the spring. A cold, however, thus contracted, produced a disease of the lungs, of which he died on the 10th of June, 1821. A few days before his death, however, he received the welcome news of the success of his application to plant a colony in Texas; and one of his last injunctions was, that his son, Stephen F. Austin, should consummate his enterprise.†

* Kennedy says that, when Moses Austin first presented himself to Governor Martinez, he was treated as an intruder, and ordered to quit the province; and while preparing to depart he met with Bastrop, who made known his merits to the governor, had the order rescinded, and procured the granting of his memorial. —*History of Texas*, vol. i., p. 316.

† Ib., p. 318. Lord Bacon lays it down as a general rule that he who has no

Considering that this application of Moses Austin was made while the Spanish authority was still predominant in Mexico, his success was rather surprising. But it will be remembered that it was after the revolution in Spain, when the cortes was re-established, and a much more liberal system adopted.

This first grant to found a colony in Texas, dated on the 17th of January, 1821, provided that the colonists should be Roman catholics, or agree to become so before they entered the Spanish territory; that they should furnish undoubted evidence of good character and habits, and take an oath of fidelity to the king, to defend the government and political constitution of the Spanish monarchy.* In addition, they were to be Louisianians.

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children is more patriotic than he who has; and for this reason, that the affection, which he would otherwise bestow upon his family, he gives to his country. If the rule be true, it will apply to Austin, for he was truly the father of his colony.

* Kennedy, vol. i., p. 319. The Spanish oath of naturalization will appear by the following instance:—

"To the Señor Don Manuel de Salcedo, lieutenant-colonel of the royal army, political and military governor of the province of Texas.

"In the town of Nacogdoches, on this day, month, and year before me I, Don José Maria Guadiana, lieutenant of cavalry, and political and military commandant of this town, by virtue of the commission which I hold from the governor of this province, having called to my assistance, in default of the notaries required by law, Anselmo Pereira and Manuel Delgado, came Don Samuel Davenport and Don William Barr, residing in this place, and took a solemn oath of fidelity to our sovereign, and to reside permanently in his royal dominions; and, more fully to manifest it, put their right hands upon the cross of our Lord Jesus Christ, and, being questioned by me, swore, each of them, before God and the holy cross of Jesus Christ, to be faithful vassals of his most catholic majesty, to act in obedience to the general and special laws of Spain and the Indies, henceforth abjuring all other allegiance or adhesion to any other prince or potentate whatever, and to hold no correspondence with any foreign power without permission from a lawful magistrate, and to inform against such as may do so, or use seditious language unbecoming a good subject of Spain; they severally swore also to acknowledge, obey, and respect the lawful authorities, under the supreme central junta, happily governing as under the authority of Don Ferdinand VII. In faith whereof we sign, &c. "JOSE MARIA GUADIANA.

"WILLIAM BARR,

"*Assisting Witnesses.* "SAMUEL DAVENPORT.

"*January* 15, 1810." [*Translated from MS. testimonia.*]

Don Erasmo Seguin, who had been appointed by Governor Martinez to notify Austin of the grant, and to see that its conditions were executed, met Stephen F. Austin at Natchitoches, and on the 5th of July, 1821, they both set out for San Antonio.* After consultation with the governor, Austin furnished him with a plan for the distribution of lands among the colonists. It proposed to give to each man, over twenty-one years old, six hundred and forty acres, with an addition of three hundred and twenty acres for the wife, one hundred and sixty acres for each child, and eighty acres for each slave. This plan received the sanction of the governor on the 19th of the following month. Colonel Austin next proceeded to explore the country watered by the Guadalupe, Colorado, and Brasos rivers, for the purpose of discovering a suitable location for his colony. He had a choice of the country, and the wisdom of his selection has been fully approved. Having satisfied himself on his point, he returned to New Orleans, and advertised for colonists upon the terms proposed in his contract.

Austin's means were limited; but he found a friend in New Orleans, by whose liberality he was greatly aided. Through J. L. Hawkins, the schooner Lively was fitted out with the necessary provisions and implements for a colony, and in November sailed for Matagorda bay with eighteen emigrants on board. Austin himself proceeded up Red river to Natchitoches; thence, with other colonists, he continued his course to the Brasos. They arrived at the old La Bahia crossing in December. Austin sought along the coast for the Lively, but she was never heard of more. The want of the provisions and implements on board this vessel reduced the colonists to great straits. In the meantime, James Austin, a brother of the *empresario*, had reached the colony; and the two brothers, with twenty others, set out for San Antonio, to make a report to the governor. They arrived there about the middle of March, 1822.*

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* Austin was accompanied by Edward Lovelace, Neil Gasper, Henry Holstein, William Little, Joseph Polly, James Beard, William Wilson, Dr. Hewitson, W. Smithers, and Messrs. Belew, Beard, Marple, Barré, and Erwine. These were the first of the three hundred colonists. They reached the Brasos on the 1st of August, 1821, and San Antonio on the 12th of that month.—*Letter of Guy M. Bryan, July* 1, 1852.

The news of Austin's intended colony had spread over the western country. The love of adventure, and the desire to find comfortable homes, excited quite a spirit of emigration. About the middle of June, 1821, and before Austin had made his selection, several families at Pecan point, in Arkansas, started for the Brasos, and on the first of January, 1822, encamped at the crossing of the old San Antonio road, two miles above the mouth of the Little Brasos. Here they found the families of Garrett and Higgins, who had reached the crossing a few days before them, and were engaged in erecting cabins.†

Before this, however, on the western bank of the Colorado, opposite the present town of La Grange, had settled Buckner and Powell.‡ During the summer of 1822, among other emigrants to Austin's colony were Philip Dimmitt, Jesse Burnham, and Robert Kuykendall—names well known among the pioneers of Texas.

On reaching San Antonio, Austin was surprised to learn that, on account of the recent changes in Mexico, it would be necessary for him to proceed to the capital, to obtain from the Mexican Congress a confirmation of his contract, with instructions and details relative to the formation and government of his colony. However unprepared he might have been for this journey, yet such was his zeal for the consummation of his great object, that he immediately set out. Leaving the affairs of the colony in care of Josiah H. Bell, he started, in company with Dr. Robert Andrews and one other person, to perform this long journey by land, through a country infested with Indians and robbers. When two days out from San Antonio, they were attacked and robbed by the Camanche Indians; but after suitable explanations — the Indians learning that Austin was an American — their property was restored, and they were permitted to proceed.* They reached the city of Mexico on the 29th of April, and found the political affairs of the nation in great confusion.

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* Guy M. Bryan's letter of July 1, 1852; Kennedy, vol. i., p. 323.

† Among the emigrants from Pecan point was the Cherokee John Williams.—*Dewees's Letters from Texas*, p. 23, *et seq.* It is probable that Garrett and Higgins were the first settlers on the Brasos. This is, however, claimed for Andrew Robinson, who settled near the present town of Washington. Dewees, who was one of the Pecan-point emigrants, says (page 24): "About the time of our arrival here, a few families settled below us on this river, near the old La Bahia crossing."

‡ Letters from Texas, p. 30. A creek, emptying into the Colorado opposite La Grange, perpetuates the fact that he was there first.

The plan of Iguala (of the 24th of February, 1821), and the treaty of Cordova (of the 24th of August following), guarantied protection to the Roman catholic religion, which satisfied the clergy; the independence of the kingdom, which satisfied the leading creole aristocracy; and the indissoluble union between the Europeans and Americans, which satisfied the Spaniards.† But there was no guaranty for the liberty of the great masses. This the latter desired and expected; but Iturbide, the ruling spirit among them, had not the most distant idea of granting such a boon. It was manifest, then, that the form of government he had adopted could not stand the ordeal of deliberate public opinion, even in Mexico. Without reciting the details of occurrences which happened between the treaty of Cordova and the assembling of the first Congress — which latter event occurred on the 24th of February, 1822—it will suffice to say that Iturbide and the Congress quarrelled. The majority of the representatives were in favor of a republic, and Iturbide desired a monarchy. It was, indeed, an unfavorable period to secure the attention of the government to the subject of founding colonies in a distant province; yet that attention was solicited and obtained.

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* Kennedy, vol. i., p. 324; Holly, p. 156.

† Letter of J. Smith Wilcox: American State Papers, vol. iv., *Foreign Relations*, p. 837.

Austin was not the only person in the Mexican capital seeking such contracts. Hayden Edwards, General James Wilkinson, Robert Lefwitch, and Green Dewitt, were also there. To these may be added the Cherokee chiefs Bolles, Nicollet, and Fields, who came, not to obtain a contract, but a grant of lands for their tribe, lately emigrated to eastern Texas.

Hayden Edwards, a wealthy and intelligent gentleman from Kentucky, having brought his family to Louisiana, left them there, and repaired, early in 1822, to the Mexican capital, to procure the concession of a large amount of lands in eastern Texas. He kept an open house, and used freely his ample means to forward the great object of founding a colony. General Wilkinson thought, no doubt, that his conduct in the affair of Burr would entitle his claims to consideration. In regard to the Cherokees,* their wants were different. This powerful nation of Indians was once the owner of a territory embracing more than half of what is now the state of Tennessee, the southern part of Kentucky, the southwest corner of Virginia, a considerable portion of the two Carolinas, a large part of Georgia, and the northern region of Alabama! Between the period of the American Revolution and that of which we now write, the Cherokees had, by voluntary and forced sale, parted with the greater portion of their territory; and that which remained to them was claimed by the state of Georgia and other states: so that they found no other means of postponing their destruction than by a total abandonment of their haunts in the American Union. A large number of them, under the direction of the above-named chiefs, had come to find a home in Texas. It is due to truth and justice to declare that, during the present century, the Mexican people have treated the claims of the Indian with more respect and consideration than have been shown by the United States. Their motives for this we will not inquire into. The business of the Cherokees was soon adjusted. They had already entered into an agreement* with Don Felix Trespalacios, by which they were permitted to enjoy the lands on which they had settled *in common*. The agreement was confirmed by Iturbide on the 27th of April, 1823, with the understanding that the Indians were to retire farther into the interior, and that no additional families of them should immigrate till the publication of the general colonization law.†

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* *Tsalakee* is the proper name. See American Encyclopædia, *in loq.*

So many applications induced the appointment of a committee, who reported in favor of a general colonization law. The bill before the Congress was about to receive the final sanction of that body, when, on the morning of the 31st of October, 1822, Iturbide (who had previously caused himself to be declared emperor) abruptly ejected and dispersed them.‡ The emperor, after an apology to the Mexican people for this high-handed measure, called a congress, or *junta*, of forty-five members, nominated by himself. This body, in pursuance of the wishes of Iturbide, shortly afterward prepared and passed a new colonization law, which received the imperial sanction on the 4th of January, 1823. As this exhibits the general features and conditions of those subsequently enacted, they may be here properly referred to:—

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* This agreement bears date of November 8, 1822.

† Order of April 27, 1823, to Felipe de la Garza, commander-in-chief of the northeastern internal provinces, in the archives of the general land-office.

‡ Kennedy, vol. i., p. 325. Poinsett's Notes on Mexico, p. 68: "Soon after the members assembled this morning, Brigadier-General Cortazar appeared in the hall, and read the imperial mandate dissolving the Congress. He then informed them that it was his majesty's pleasure they should disperse forthwith, and that, if they did not retire in ten minutes, he would be compelled, in obedience to superior orders, to drive them out of the hall. The president immediately directed that the order should be spread on the journals of Congress, and *called upon the general to sign it, which he did*, and the members retired."

1. The first step, being an abrogation of the royal exterminating order of Philip II. against foreigners, is an agreement to protect them in their liberty, property, and civil rights.

2. But, as a condition precedent, they must be such as profess the Roman catholic apostolic religion, the established religion of the empire.

3. To encourage the immigration of such, the government will distribute to them lands out of the vacant domain.

4. Not less than a *labor*, or one hundred and seventy-seven acres, will be given to each farmer; and not less than one *league*, or four thousand four hundred and twenty-eight acres, to each stock-raiser.*

5. Immigrants could come on their own account, and receive their lands, or be introduced through an *empresario*.

6. As an inducement to immigrants, they were to be free for six years from the payment of all tithes, taxes, duties, &c.

7. There was to be no sale or purchase of slaves, and the children of slaves born in the empire were to be free at fourteen years of age.

8. The *empresarios*, for each two hundred families they should introduce, were entitled to fifteen leagues and two labors, or sixty-six thousand seven hundred and seventy-four acres of land; but this premium could not exceed forty-five

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* A *labor* is one thousand *varas* square, or one million square *varas*. A *league* is five thousand *varas* square, or twenty-five millions of square *varas*. The *lineal vara* is thirty-three and one third inches English measure. The *lineal league* is two and twelve nineteenths miles.

leagues and six labors, whatever number of families should be introduced. The *empresario* was, however, bound to have such lands peopled and cultivated within twelve years from the concession, and to sell or dispose of two thirds of it within twenty years.

Such were some of the inducements held out by this general law of Mexico to contractors and immigrants. The law having passed, Austin was desirous of having a special confirmation of his previous contract. In this respect, he found a useful friend in Herrera, the former commissioner of the Mexican patriots to the United States, and now minister of foreign and internal relations under Iturbide. The grant was accordingly confirmed on the 18th of February, 1823.* While Austin was preparing to return to Texas, where his presence was greatly needed, another revolution occurred in Mexico, which caused him to postpone his journey.

The castle of San Juan d'Ulloa had still remained in the possession of Spain. Iturbide was desirous of securing the fortress by treaty. For this purpose he proceeded to Jalapa, and requested the Spanish commandant of the castle to meet him there. This the latter refused.† They then agreed on the appointment of commissioners, who met at Vera Cruz, but without coming to any conclusion.

General Echavarri was at that time commander of the southern division of the empire, including Vera Cruz, and Santa Anna was in command of the town. These two officers quarrelled, and Echavarri preferred charges against Santa Anna. The latter, who had been a great friend to Iturbide, and had aided him in the revolution, immediately repaired to the court of the emperor, at Jalapa, to answer the charges of Echavarri. To his surprise, Iturbide treated him harshly, and dismissed him from his command at Vera Cruz. This fatal step ruined the emperor. Santa Anna suddenly departed for Vera Cruz, and reached there before the news of his dismissal. He paraded his troops, denounced the emperor, and raised the standard of revolt. The people and troops, wearied with the oppression of the usurper, and disgusted with his treachery, soon joined in the insurrection. Guadalupe Victoria, Guerrero, and Bravo, all distinguished in the wars of the revolution, took their places as leaders of the populace. Iturbide, alarmed, and seeing the army and people all arrayed against him, returned to the city of Mexico, and on the 8th of March, 1823, called together as many as he could of the old Congress, and tendered his resignation as emperor; but a quorum of that body not being present, they refused to act. At length, on the 19th of March, seeing himself totally abandoned, Iturbide sent in a letter of abdication to the Congress, and retired to Tulancingo. The Congress, which by this time had assembled, refused to accept his resignation (as that would legalize his usurpation), but permitted him to leave the country, upon an annual allowance of twenty-five thousand dollars. He accordingly embarked, with his family, for Leghorn, and thus left the republicans of Mexico to manage the government of their country as they chose.*

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* Kennedy, vol. i., p. 325.

† Poinsett's Notes, p. 281.

The old Congress immediately established a provisional government, and appointed Bravo, Victoria, and Negrete, to act as the executive for the time being. A new Congress, known as the *Constituent Congress*, was called, which assembled in

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* Iturbide, not satisfied to remain in Italy, proceeded to London; and thence, in the summer of 1824, he set out on his return to Mexico. Although the Mexican Congress had passed a decree of outlawry against him, he landed in disguise at Soto la Marina on the 14th of July (1824); but he was betrayed and taken by his old friend Don Felipe de la Garza, and delivered up to Bernardo Gutierres, who executed him at Padillos, on the 24th of the same month.—*Kennedy* vol. i., p. 305; *Forbes's Notes, MS.*

August, 1823. They proceeded, among other things, to declare the acts of the late emperor void. This decree rendered it necessary to enact another colonization law. But, in the meantime, Austin, unwilling to wait for this action of the republican Congress, made an application to the executive for a confirmation of his former grant. This confirmation was had on the 14th of April, 1823, and the *empresario* returned to his colony.

The Mexican revolution produced some alterations in the internal organization of the country, to which it may be well to refer. Previous to the revolution, the geographical divisions of New Spain consisted of eleven intendencies and three provinces; but, by a decree of the sovereign junta, passed in January, 1822, the empire was divided into six captaincies-general.* The federal constitution of 1824, however, produced an entirely different organization, which will be noticed hereafter.

The Constituent Congress were engaged, not only in re-enacting a general or national colonization law, but also in maturing a constitution. The former was passed on the 18th of August, 1824, and differed little from that of Iturbide, except that it provided for the passage of special colonization laws by the legislatures of the several Mexican states, and was quite general and liberal in its terms. As a restraint upon speculation, and to prevent a monopoly of the public lands, it was provided by the twelfth section that there should not be united in the same hands more than one league suitable for irrigation, four leagues of arable land not irrigable, and six leagues of grazing-land.

The federal constitution was not proclaimed till the 4th of October, 1824. Before directing our attention to this celebrated instrument, it will be well that we should notice the progress of the settlement of Texas.

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* Poinsett's Notes, p. 238.

After the promulgation of the treaty of Cordova, the old citizens of the towns of Nacogdoches and San Antonio, who had fled for safety to Louisiana, gradually returned. In the latter part of 1821, the town of Nacogdoches already contained a hundred inhabitants: they were a mixed population of Spaniards, French, Americans, and free negroes. Captain Dill was their worthy commandant.* The population of the place was gradually increased by immigrants, even before it had become the centre of a colony; and many of the immigrants for Austin's colony, from one cause or another, were induced to stop at this point and settle.

The large number of troops stationed at San Antonio caused that place to flourish. In 1823, it is said that the population amounted to five thousand.† Yet the Camanche Indians visited the town at their pleasure, and when there, were masters of the place. They brought in dried buffalo-meat, deerskins, and buffalo-robes, which they exchanged for sugar, beads, &c. Their trading was carried on mostly with Americans, though they were on good terms with the Mexican population.

The immigrants to Austin's colony came in as fast as could be desired. In fact, it was difficult for those already there to raise a sufficiency of provisions to support the new-comers till they, in turn, could cultivate the soil. Their privations in this respect were great; and they were often reduced to the necessity of living on the proceeds of the chase alone, and to clothe themselves with skins.

The chief trouble of the colonists, however, for the first three or four years, was with the Carankawae Indians.‡ This tribe, occupying the coast opposite the colony, had been greatly exasperated against the whites by the conduct of the Lafitte men. Again, in 1821, after the pirate-chief had left Galveston, some twenty persons, under the direction of Dr. Purnell, visited the island in search of supposed buried treasures. The company, failing to discover the treasure, found that a hundred of the Carankawae Indians were at the "Three Trees." It appears that a fine schooner had been run into the bay by pirates, and there abandoned. The party of whites ascertained that the Indians had visited the schooner, and had taken away the sails and stretched them as an awning at the Three Trees. They therefore concluded to attack them. Having made the necessary preparations, they set out in time to reach a bayou, running into the pass, just at dark. They landed, and found the Indians under the live oaks, dancing and singing. The company was divided into two platoons, and thus, marching up to within forty yards of the Indians, opened the fire by platoon. At the first discharge, the savages flew to their weapons, strung their bows, and sent a shower of arrows in the direction of the enemy. They soon, however, retreated into a swamp of high grass, carrying off their dead and wounded. The Americans,

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* Dewees's Letters, p. 21. † Ib., p. 34.

‡ "Those of us who have no families of our own, reside with the families in

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the settlement. We remain here, notwithstanding the scarcity of provisions, to assist in protecting the settlement. We are obliged to go out in the morning, a party of us, to hunt food, leaving a part of the men at home to guard the settlement from the Indians, who are very hostile to us. Indeed, we dare not go out to hunt, except in companies, as we are obliged to keep on the lookout, lest the savages fall on us; and one can not watch for them and hunt too. Game is now so scarce, that we often hunt all day for a deer or turkey, and return empty-handed.

"It would make your heart sick to see the poor, little, half-naked children, who have eaten nothing during the day, watch for the return of the hunters at night. As soon as they catch the first glimpse of them, they eagerly run to meet them, and learn if they have been successful in their hunt. If the hunters return with a deer or a turkey, the children are almost wild with delight; while, on the other hand, they suddenly stop in their course, their countenances fall, the deep, bitter tears well up in their eyes, and roll down their pale cheeks."—*Dewees's Letters* (*December* 1, 1823), p. 43.

with the exception of Purnell, escaped unhurt. He had an arrow shot through his cap and the skin of his head, which, it is said, he did not discover till the fight was over. The Americans carried off a young Indian as prisoner.[*]

All these provocations rendered the Carankawaes hostile to the colonists; and they never failed, when the occasion offered, to take revenge upon the innocent and defenceless. They are described as being a very fierce and warlike tribe. They averaged over six feet in height, and were stoutly built. Their weapons were bows and arrows; each warrior carrying a bow of his own length, and so very strong, that but few Americans could string them. It was said that they could shoot their arrows with the accuracy of a rifle![†]

In the summer of 1823, three young men, named Loy, Alley, and Clark, went down the Colorado in a canoe for corn. The Carankawaes were at that time encamped at the mouth of Skull creek, and lay in ambush for the canoe as it returned. When it came near enough, they shot and killed Loy and Alley; and Clark leaped into the river, and endeavored to escape by swimming to the opposite shore. This he did, but received seven wounds from their arrows.

The same evening, Botherton, another colonist, coming down on horseback from the settlement, fifteen miles above, fell in among these Indians. Thinking them to be a friendly tribe, he was surprised, his horse and gun taken from him, and, as he attempted to fly, was slightly wounded with an arrow.

News of these outrages reaching the settlement, a party of fourteen men was raised that night, and they marched to the Indian camp and surrounded it before daylight. Here they lay till daybreak. When it became light enough for them to see, they opened a murderous fire upon the savages, and succeeded in killing nineteen out of twenty-one in the camp. The Indians were so completely surprised, that they did not return the fire.*

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[*] Statement of L. M. Choate, MS.

[†] Dewees's Letters, p. 40.

Again, in 1824, several of the immigrants had been cut off, on their way from the mouth of the Brasos to the colony; and the bodies of white men were found in the prairie. This was correctly charged to the Carankawaes. To prevent a recurrence of such outrages, Colonel Austin ordered Captain Randal Jones, with a company of twenty-three men, to proceed down the Brasos, and along the coast as far as Matagorda bay; and should he learn that they had been concerned in those murders, or discover in them any hostile designs, he was commanded to attack them. Accordingly, in September, Captain Jones proceeded, with his company, by water, down to the mouth of the river. Here they were visited by some of the Indians, who, seeing their preparations, appeared quite friendly. At this point Captain Jones learned that about thirty of the tribe were encamped on Jones's creek, a tributary of the San Bernardo, and about seven miles distant: also that ten or twelve more had gone to Bailey's, higher up on the Brasos, to purchase ammunition. Jones, on receipt of this information, sent two of his company up the river, to raise additional force. These two, arriving at Bailey's, found eight or ten of the colonists already collected there to watch the motions of the Indians sent for ammunition. They perceived their designs to be so manifestly hostile, that they attacked them the following morning at daybreak, killed some, and drove the others away.

Captain Jones, not waiting for the additional forces for which he had sent, returned up the river, opposite to the Carankawae camp on Jones's creek, and disembarked with his company. Here they concealed themselves till evening, and

* Dewees's Letters, p. 39.

sent out spies to discover the locality of the Indian camp. The spies, returning at midnight, did not give such description of the locality as to enable them to proceed. Jones remained quiet the next day, and just at sunset heard the howling and war-whoops of the savages at their camp. This had been caused by the return of their comrades, who had on that morning been defeated at Bailey's, and brought with them their killed and wounded.

Having thus ascertained the situation of the Indian camp, which was on the west bank of the creek, where it widens out into a lake, before emptying into the St. Bernard, Jones conducted his company across the creek, half a mile above their camp, and came down on the west side. Arrived within sixty yards of the enemy, the company halted to wait for daybreak. So soon as it was light enough to see the sights of their rifles, they discovered the Indian camp immediately on the margin of the creek, surrounded by reeds and tall grass. Captain Jones formed his men, and advanced rapidly to the attack. Upon the first discharge, the savages concealed themselves in the long grass, from which they returned the fire with balls and arrows. The whites, being exposed, and having one of their number killed and several wounded, retreated up the creek, recrossed it, and retired in the direction of the settlement. The Indians pursued them till they crossed the creek. Just at this time, Captain Jones, observing an Indian pointing an arrow at him, shot him down. Thus the engagement ended. The whites lost, in killed, young Bailey, Singer, and Spencer; the Indians had fifteen killed: and there were some wounded on both sides. The whites returned home, and the Indians retreated west across the St. Bernard.*

About this period, another affair with the same tribe occurred on the Colorado. An old man by the name of White, with two Mexicans, came round in a yawl from La Bahia to the mouth of the Colorado to procure corn. They were taken prisoners by the Indians at the mouth of the river. White, to save his life, promised to go up the stream, purchase corn, and come down to trade with them. Retaining the Mexicans and the yawl, they permitted him to depart alone, with the understanding that he should set the prairie on fire, two miles above the mouth of the river, on his return, that they might know where to find him. White proceeded up the river, and reported the facts in the settlement, when Captain Burnham raised a company of thirty men, and marched down nearly to the mouth of the river, where they found the two Mexicans and the yawl. The Mexicans reported that the Indians were either at the mouth of the river or on the peninsula across the bay. Captain Burnham divided his company, half remaining where they were, while the other half marched a mile farther down. Those above gave the signal to the Indians by setting the prairie on fire. In a short time, a large canoe, full of Indians, was seen coming up the river. When it arrived opposite the lower half of the company, the savages were attacked, and ultimately all killed.*

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* Note from General Lamar, quoted by Foote, vol. i., p. 295.

In a short time afterward, the Carankawaes, tired of this unprofitable warfare, in which their numbers were rapidly melting away before the rifles of Austin's colonists, sued for peace. They proposed to meet Colonel Austin at La Bahia, and make a treaty. The latter, collecting a hundred volunteers, met them at the creek four miles east of La Bahia. Peace was made, and the Indians obliged themselves not to come east of the San Antonio. This pledge they ever after observed.†

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* Dewees's Letters, p. 50.

† Foote, vol. i., p 297; Dewees's Letters, p. 55.

These were days of want and peril in the colony; yet its members continued to toil, and their numbers were increased by new immigrants. In April, 1822, the schooner Revenge, Captain Shires, brought upward of eighty colonists. They landed at Bolivar point, spent a night there, and looked at the remains of Fort Bolivar, lately occupied by the forces under Long. They then proceeded up the bay, and ran aground on Redfish bar. The passengers left the vessel, and went ashore on the west side of the bay. From this point they proceeded in search of homes. Two of them, Moses L. Choate and Colonel Pettis, went up the San Jacinto river some ten miles above its mouth, where they made, perhaps, the first improvement ever effected on that stream.*

Early in the summer of 1823, Austin returned to his colony. He stopped at Monterey, on his way back from the capital, to ascertain from the captain-general of the northeastern internal provinces the extent of his authority, and to have the same defined. This was done, in the Spanish form; and Austin was declared to have full power to administer justice in the colony, to make defensive war against the Indians, and to command the militia with the rank of lieutenant-colonel. In fact, he was clothed with legislative, executive, and judicial powers, being required to report his proceedings to the governor of the state, and being responsible to the captain-general of the provinces.†

On his return to the colony, Austin proceeded to lay off a town on the Colorado, eight miles above the *Atasca sito* crossing; but, after surveying the lots, he concluded to change the location to the Brasos. Here, accordingly, he laid the foundations of *San Felipe de Austin*, as the colonial town.‡

The return of Colonel Austin infused new life into the colony. The news of the confirmation of his grant, of the overthrow of Iturbide, and of the prospect of a permanent republican form of government, caused the colonists to believe that they had homes—free homes—for themselves and their children. They went to work to select and survey their lands. Don Luciana Garcia, the governor of Texas, was friendly to their interests, and did all that he could to promote them. On the 17th of July, 1823, he appointed the baron de Bastrop commissioner to extend land-titles. Thus the governing system of the colony was completed.*

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* Statement of M. L. Choate, MS.

† Kennedy, vol. i., p. 327.

‡ Dewees's Letters, p. 42.

Although Austin's powers were almost absolute, he governed with parental mildness. His soul was absorbed in the great business of the successful completion of his enterprise. He was esteemed by each colonist, not so much as a ruler, as a father and friend. By example and precept he inspired them with a love of order and industry. True, he was often annoyed by bad men, intruders in the colony; yet his forbearance, even in such cases, was great. When he found it necessary to use strong measures, and inflict wholesome lessons of punishment or restraint, he did it, but with regret.

To illustrate this: in 1823 and 1824, the colony began to be infested by robbers—men who had fled from justice in the United States, and came to the colony with the hope of committing their depredations with greater impunity. At first, they were pursued, the property reclaimed, and the robbers whipped and turned loose. It was found that this only exasperated them, and caused them to add murder to robbery, in order to prevent detection. Austin, on being appealed to, directed the application of a more efficient remedy. An opportunity soon offered. Corasco, a Mexican, with his servants, was driving a *caballada* of mules through Texas to Louisiana.

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* Kennedy, vol. i., p. 327.

After crossing the Colorado, they were attacked, and all murdered, with the exception of a Mexican servant, who escaped, badly wounded, to a settlement of the colonists. The robbers, with their booty, proceeded toward Louisiana. As they were crossing the Brasos, they were overtaken, and all instantly killed except one, who escaped. The head of one of the robbers was cut off and set on a pole, as a warning to like offenders.*

These were rough times among the Texan pioneers. Yet they were engaged in a good work, and met and overcame difficulties with manly firmness. They had no other luxuries than such as were afforded in beholding the loveliest natural scenery, and in taking part in the stirring adventures of the chase. The common dress of the men and children was made of buckskin, and even the women were often obliged to wear a like dress. Rarely were they able to obtain from some strolling pedlar a piece of "domestic," or calico, at the high price of seventy-five cents per yard.†

Austin was anxious to fulfil his contract, and introduce the requisite number of families. As many young men and unmarried persons came into the colony, he suggested the propriety of their uniting in pairs, making one the head of the family, by which means the two would obtain a family *headright*, and the number of families be increased. This arrangement was made in many cases, and with a fortunate result to all concerned.‡

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* Dewees's Letters, p. 52. † Ib., p. 45. ‡ Ib., p. 49.

CHAPTER XVII.

The Mexican federal constitution of 1824—about which so much has been said—was formed upon that of the United States, but with some fatal differences. Among the most important of these were—the absence of the right of trial by jury; the prohibition of any other than the Roman catholic religion, and defining that as the faith of the nation; making Congress, instead of the courts, the final interpreter of the constitution; permitting the president, under any circumstances, to command the armies of the republic in person; and failing to define more clearly the rights of the several states of the confederacy.*

However, Congress, after a labor of five months, adopted the instrument on the last day of January, 1824, though it was not proclaimed until the 4th of October following. The newly-created states also went to work to establish state constitutions, and to organize under them. They labored under difficulties which the states of our Union had not to encounter: ours were *states* anterior to the compact—theirs were created by it: our states were watchful, and jealous of their rights—theirs had no rights, except such as the national government gave them; and, as the federal Congress alone had the right to construe the constitution, the states were entirely at its mercy. Yet, after all, the success of any and all systems of government must depend upon the intelligence of the governed. In this particular, the citizens of the federation north were infinitely superior to their southern brethren. The former had been trained up under the healthy influences of *Magna-Charta*, and the vital principles of the common law, which, whatever may be said of its clumsiness and want of flexibility, is the faithful guardian of liberty. The latter, just emerged from the tyranny of centuries, had but a dim idea of their civil rights, and often confounded them with the wild liberty of nature. Their individual rights were determined by the civil law, a system which, whatever may be said of its elegant adaptation to equitable rights, is the offspring of implicit obedience, and is utterly inapplicable to a country of free institutions.

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* The constitution of Mexico may be found in Edwards, Holly, and Kennedy, and in Dewees's Letters.

It will be remembered that, previous to 1824, Texas, as a province, was in nowise connected with Coahuila. But, by the second article of a decree of the Constituent Mexican Congress, passed on the 7th of May, 1824,* known as the "Constitution Act," Coahuila and Texas, not being sufficiently populous to form each a state, were united into one state, and known as the *state of Coahuila and Texas*. This decree also provided that, when Texas should possess the necessary elements for that purpose, she should be admitted into the Mexican Union as a separate state.

The first congress of the state of Coahuila and Texas was duly installed on the 15th of August, 1824, at Saltillo, and entered upon the discharge of its legislative duties. Provision was made for a temporary governor and council, the latter consisting of a vice-governor and four other persons. The other officers and authorities in the state were confirmed in their power, and existing ordinances continued in force till further laws were passed.* All the authorities—civil, military, and ecclesiastic—and the soldiers and citizens of the state, were directed and required to take an oath of fidelity to the state and the Constituent Congress; all of which was done, and the installation of the congress celebrated by chanting a solemn *Te Deum* in the churches, and public prayer offered for Divine aid to guide its deliberations.†

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* *La Acta Constitutiva.*

Upon the organization of the new state, the political chiefs of the former provinces of Texas and Coahuila ceased their functions, and the archives of their offices were transferred to the governor. But the distance of the executive from Texas, and the necessity of having some one in the territory to guard her interests, induced the congress of Coahuila and Texas, on the 1st of February, 1825, to create a political authority, styled "*Chief of the Department of Texas*," to be appointed by the governor, and be responsible to him; to reside at Bexar; to watch over the public tranquillity; to inflict punishments; to command the local militia; to issue and examine passports; to preside over popular meetings and festivals; to solve all doubts raised by his subordinates; to be the sole channel between his subordinates and the government; to see that the laws were administered; and to report his proceedings and observations to the governor.‡

Don José Antonio Saucedo was appointed to this office, and, as the first constitutional functionary placed over Texas, was scarcely competent to fulfil its duties. The majority of the citizens under his jurisdiction were colonists, mostly Americans, toward whom his prejudices were such, that little favor was to be expected at his hands.

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* Decree No. 1, Laws of Coahuila and Texas. † Ib., Decree No. 4.
‡ Ib., Decree No. 12.

In pursuance of the national colonization law, the state of Coahuila and Texas, with a view to "augment the number of immigrants, advance the raising and increase of stock, and the progress of commerce and the arts," published her celebrated decree of March 24, 1825.

This law provided that any foreigner, who should settle himself in the state, upon making proper application, and taking the oath required, might designate the lands which the decree allowed him, and obtain a title to the same. The eighth article, however, was the most important, as it provided for the creation of *empresarios*, through whom any number of families, not less than one hundred, might be introduced. By that article it is made the duty of the governor, when a proper application is made by one wishing to become an *empresario*, to admit him, and immediately designate the lands whereon he shall locate his colony.* Contracts made by the *empresarios* with the families which should come at their expense, were guarantied by the law.

There were two features in the colonization law which will arrest attention. 1. In the distribution of lands, a preference was given to Mexican citizens. When we look at the superiority of the colonists over the natives, this clause was productive of constant jealousies. 2. The third article required foreigners, who wished to become colonists, to make a declaration to that effect before the *ayuntamiento* of the place he should select as his residence; by which, in that case, he should be sworn to obey the federal and state constitutions, *and observe the religion prescribed in the former*. It is not unsafe to affirm that, in the face of this law, nineteen twentieths of the colonists of Texas neither observed nor believed in the religion prescribed in the Mexican constitution; and it may be further said that they believed that constitution had no right to prescribe any rule of faith on the subject. Men never become religious by contract or compulsion. Yet such was the law.

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* Y Señalará luego á los capitulantes el terreno en que han de situarse.

However, under the state colonization law, *empresarios* and immigrants flowed into Texas. On the 15th of April, 1825, Robert Leftwich obtained a contract for two hundred families; three days afterward, Hayden Edwards secured one for eight hundred families; on the 4th of June, Austin obtained authority to introduce five hundred families in addition to his first concession; and, on the 6th of October of that year, Green Dewitt contracted for three hundred families, and Martin de Leon for one hundred and fifty more. In addition to these contracts, emigrants under no contractor, and at their own expense, removed to Texas, and obtained lands where they found selections to please them. Thus the year 1825 was the year of emigration for Texas. It was an impulse of the Anglo-Saxon race crowding westward. The land was rich and inviting, the scenery was lovely, the climate unsurpassed.

Many of these immigrants, coming on their own account, had settled on the Trinity. They applied to Governor Gonzales, praying to be admitted citizens of the state. He transmitted their petitions to Colonel Saucedo, chief of the department of Texas, directing him to inform them, through Stephen F. Austin, that the lands they then occupied were about to be colonized, and if, when that was done, they were found qualified, they would be admitted.* This fact is referred to here, because of the consequences resulting from it, to be noticed presently.

Among the *empresario* contracts, as has been already mentioned, was that of Hayden Edwards. He was a gentleman of high moral character, strict honor, and liberality. He had devoted much of his time in Mexico in forwarding the general colonization law. He had his colony greatly at heart, and had expended thousands of dollars in getting up the enterprise. The contract with the state was sufficiently liberal. It admitted him as an *empresario* under the general state law. The lands designated were bounded on the east by a line beginning twenty leagues from the Sabine and ten leagues from the coast; thence through Nacogdoches, and fifteen leagues beyond it; thence west to the Navasoto; thence down this river to the San Antonio road, and with this road to the San Jacinto; thence down said river to within ten leagues of the coast; and along the coast, ten leagues from it, to the place of beginning. This boundary included the fine lands of the Trinity, Neches, and Angelina;* and, with the exception of Austin's grant, it was perhaps the most desirable location in Texas.

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* Governor Gonzales to Colonel Saucedo, May 19, 1825.

Hayden Edwards, on receiving his grant, returned to the United States, and requested his brother, Benjamin W. Edwards, then at Jackson, Mississippi, to visit Texas, with a view to aid him in building up his colony. The latter, complying, proceeded immediately to the new state, and spent some months with Colonel Austin, during which he conversed with him freely on the subject of the great enterprise of peopling the country with North Americans.†

Edwards labored under a disadvantage in regard to his colony from which Austin was entirely free. The territory of the former was in part occupied by Mexicans and the old settlers on the "neutral ground," while that of Austin was unsettled. The Mexicans about Nacogdoches had but recently returned there, having fled, with Long, from the vengeance of Colonel Perez. They were, to some extent, hostile to the Americans, and entirely unwilling that an American should be placed over them. Some of them, too, were bad men, who had fled to the confines of Mexico to avoid the punishment due to their crimes. Here they met many of a like class—heroes of the "neutral ground"—who, having no particular objection to Hayden Edwards because he was an American, were opposed to all rules and all subordination of any kind. With such men the latter was compelled to deal in carrying out his contract.

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* See the contract, in Appendix No. 5.

† Foote, vol. i., p. 225.

Among the settlers found in Edwards's colony was Colonel Ellis P. Bean. After the death of Morelos, and the conciliatory propositions of Apodaca, the fires of the Mexican revolution had so far expired, that Bean left the country and visited his native state. He reached the residence of his half-brother, Captain William Shaw, in White county, Tennessee, in the spring of 1818. After remaining here some time, he formed a matrimonial alliance with a daughter of Isaac Midkiff. He then emigrated with his family and father-in-law to Smackover creek, in Arkansas. Here they settled, without a neighbor within thirty miles of them, and commenced raising stock. At the end of three years, his father-in-law died. This event, together with the news of the liberation of Mexico, and the call for colonists, induced Bean to come to Texas. He located himself at the *Mound prairie*, the ancient town of *Texas*, and obtained from the Mexican government, for his services, a grant for a league of land, including his residence.*

At this place Bean resided quietly till the summer of 1825, when he set out for Mexico. He reached the capital on the 18th of October, and remained there till the 21st of July, 1826. Here he met his old companions-in-arms, and possessed himself of a knowledge of the interesting events that had transpired in the country during the past seven years. For his services in the revolution he received, in addition to the grant of land before mentioned, the appointment of colonel in the permanent forces of the republic.

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* Memoirs of Captain William Shaw, MS.

While in Mexico, Bean found there John Dunn Hunter, who had been sent there by the Cherokee Indians, to endeavor to procure for them the long-promised title to their lands.* They did not succeed in obtaining anything more than vague promises. The government was willing to admit these Indians as colonists, but would not grant them a body of land in community. Hunter returned with the result to his people, which greatly exasperated them.

Hayden Edwards, after making the necessary arrangements in the United States for bringing on colonists, set out for his new home, and reached Nacogdoches with his family about the middle of October, 1825. The want of a conveyance prevented him from reporting his arrival to the political chief, at Bexar, before the 6th of January following. He then informed that functionary that he had been using his best efforts since his arrival to restore order, and persuade the people to place themselves under the laws; and that he had generally succeeded, with some two or three exceptions: these were José

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* John Dunn Hunter arrived in Mexico on the 19th of March, 1826.—*Bean's Notes, MS.* Hunter was a remarkable man. He published in 1823 a history of his life, with sketches of the manners and customs of the Indians. He says that, when a child, he was taken by the Indians, but knows not when or where. His parents, he supposes, were killed. He was raised by the Indians until he was nineteen or twenty years old. This was about 1816. He had become identified with them; and, from his expertness in hunting, the Indians gave him the *soubriquet* of *Hunter*. He added the balance of his name out of respect for John Dunn, of Missouri, who had rendered him great services. He formed an acquaintance with the fur-traders, and gradually learned the English language; acquired the habits of his race; left the Indians; had a great thirst for knowledge, and was much aided by kind friends who had heard his romantic story. He visited the eastern cities and Europe, producing quite a sensation among philosophers and sympathizers; and finally returned to live among the Texan Cherokees, where he immediately obtained a position and influence among them not inferior to that of their head chief. It is alleged, however, in the "North American Review," that Hunter was an *impostor*.—*Review*, 1825–'26.

Antonio Sepulveda and Luis Procela, a couple of infamous men—the first had been guilty of forging drafts for money, and land-titles for sale; the other had fled from confinement in the United States, leaving his family there; and Procela, since he had come to Nacogdoches, had been acting as alcalde *by proxy*, a thing unheard of in a republican country. Edwards further informed the political chief that his prospect for fulfilling his contract was good; and, after enclosing to him copies of all his official acts, hinted to him very delicately that if these turbulent characters had been citizens of the United States, he would have dealt with them in a summary manner, as he had a right to do under his contract.*

This letter seems not at all to have been relished by the chief. Edwards had referred to the ignorance of these two bad characters. They were Mexicans; so likewise was the chief. But there was another cause of offence. It will be remembered that, in 1819, Nacogdoches was completely swept by the invasion of Long. There was not a human being left in the place to govern or be governed. Nor did any return for some time. Previous to 1819, there had been made a few old grants of land. The owners, if alive, had left the country, and most of the grants may be said to have lapsed for the want of an owner. After Mexico had achieved her independence, however, a few of the old citizens of Nacogdoches had come in, and also some new-comers; so that by the time Edwards reached there, the town and its vicinage may have included a hundred people of all ages and colors. Among them came Sepulveda and Procela. Finding the lands were likely to become valuable, the first-named person became industrious in getting up old titles to the best lands; and when it became necessary to make an old title, it seems he engaged also in that business!

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* Hayden Edwards to José Antonio Saucedo, January 5, 1826, MS.

By the second article of Edwards's contract, the possessions found in Nacogdoches and its vicinity, with the corresponding titles, were to be respected by the colonists; and it was made Edwards's duty, should any of the *ancient possessors claim the preservation of their rights*, to respect them. To ascertain the extent of these claims, the *empresario*, in November, 1825, gave notice for all persons having such titles to exhibit them to him, in order that they might be received or rejected according to law; and, if they did not so present them, the lands would be sold, and those who had just claims would have to pay for improvements made on them. This notice gave great offence to the Mexican authorities. The first part of the notification seemed necessary, to enable the *empresario* to know what claims to respect. As to the sale of the land, the *empresario* could not mean that he possessed the authority to do so, for it was not given him.

About the same time, Edwards issued a notice for the election of militia-officers, to occur on the 15th of December, 1825; and, in the same notice, he *advised* the people to elect an alcalde. The election, it seems, was held by Sepulveda, the former alcalde. There were two candidates for the alcaldeship —Chaplin, the son-in-law of the *empresario;* and Norris, the brother-in-law of James Gaines, of the neutral ground. Chaplin was elected; but, as he had obtained most of the votes between the Attoyac and the Sabine, occupied by immigrants, and not within the ceded land, though under the alcalde's jurisdiction, Sepulveda and his party threw them out, and declared for Norris. The other party included these ballots, and decided in favor of Chaplin. The latter thereupon proceeded to take possession of the archives of the office, and entered upon its duties. All this being reported to the political chief of the department, he declared in favor of Norris, wrote to the old alcalde to swear him into office, and, if Chaplin did not deliver up the archives to him, to proceed to take them with the aid of the national militia.*

On the receipt of this document, the people were all assembled to hear it read. They obeyed the injunctions of Saucedo, and Samuel Norris was duly inducted into the office of the magistrate or local judge.

But another cause of difficulty now arose. Before Edwards had made his contract, a man by the name of Tramel had emigrated from Pecan point, in Arkansas, to Nacogdoches. After he had reached the latter place, he learned from the alcalde that that functionary had received orders from Governor Trespalacios to place some one at the old crossing of the Trinity, to keep up a ferry on the San Antonio road. Tramel agreed to occupy the post, and, with the order of the alcalde, he removed to the ferry and settled himself. He finally sold out to another person, who still kept up the ferry. Ignatius Sertuche, a Mexican, and the only surviving inhabitant of the old town at the Spanish Bluff, below the ferry, was starving together with his family. The occupant at the ferry invited him to remove up to the crossing, and he would supply his family with food. Sertuche, finding the situation pleasant and profitable, managed to dispossess the occupant. The facts being made known to Edwards, he took steps to repossess the true occupant. This was all reported to the political chief, and Sertuche was again placed at the ferry. The only reason given by Saucedo for this arbitrary act was, that Sertuche was a Mexican, and entitled to the preference !†

In several other instances, these invidious distinctions were made; and Americans, who had come into the country and wrought improvements, were compelled to give place to Mexican favorites of Sepulveda and Norris, the two alcaldes, who occupied the judicial chair during the years 1825 and 1826.

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* José Antonio Saucedo to the alcalde of Nacogdoches, February 13, 1826, MS.

† The same to Hayden Edwards, May 1, 1826, MS.

It would be doing injustice to the character of the Americans to suppose that they bore these things patiently; and that they did not express their opinions freely, not only of the acts themselves, but also of the actors—the government and the Mexican people generally.

But, says the political chief Saucedo to Hayden Edwards, in his letter of the 1st of May, 1826: "Hitherto, the accusation against you, which has arrested the attention of the supreme government of the Union, is the ordinance which you yourself published, in October of the past year, proclaiming yourself the military chief of that part of the state, and demanding of the old inhabitants the titles of the lands which they possess; for which acts *the corresponding charges shall be made when the government shall so order.*"

By the sixth article of his contract, Edwards had power to raise the national militia, of which he was declared to be chief, until some other disposition was made. No other disposition had been made. Hence it was no usurpation in him to order an election of militia-officers, and to announce that he was by his contract their chief. His position in this respect was little different from that of Austin, who held the rank of lieutenant-colonel, organized and controlled the militia of his colony, and called them into service when it became necessary. But Austin had Americans only under his command.

Hayden Edwards left for the United States early in the summer of 1826, leaving his brother, Benjamin W. Edwards, who had returned to the colony in the preceding April, to act as his agent. The latter, being in full possession of all the facts connected with the settlement of the colony, and the difficulties that surrounded the enterprise, sat down and wrote a long letter to Colonel Austin, detailing a history of those difficulties, and asking his advice.* On the 24th of July following, he also wrote to the baron de Bastrop, then a member of the state congress at Saltillo, informing him of the facts in question. In the succeeding month he received a friendly answer from Austin, advising him to write directly to the governor of the state, giving a particular account of the conduct of both parties at Nacogdoches.†

Following the recommendation of Austin, B. W. Edwards addressed to Governor Blanco a long and manly letter, presenting a full history of the difficulties in the colony, detailing the stupidity of Norris the alcalde; the treachery of Colonel James Gaines, his brother-in-law, who directed and controlled him in his adjudications and orders; and also of the efforts made and still making by Hayden Edwards to bring on immigrants. He further stated that he understood serious charges had been preferred against his brother, and alluded to them, as detailed on the preceding page; that his brother had no notice of them, and was at that time absent, engaged in filling his contract, but would return in a few weeks, until which time he asked the governor to wait, that the *empresario* might have an opportunity to defend himself, and be furnished with a specific statement of the charges against him. This letter, dated on the

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* B. W. Edwards to S. F. Austin, July 21, 1826, MS.

† Foote, vol. i., p. 269. Austin says, in his reply: "The subject has caused me great unhappiness, but I had determined not to interfere with it in any way. It is a dangerous one to touch, and particularly to write about. You wish me to advise you. I scarcely know what course will be best. The uncertainty as to the precise nature of the charges against you, renders it difficult, nay, impossible, to make a regular defence. I think, however, I would write directly to the governor of the state. Give him a full statement of facts, and a very minute history of the acts of your principal enemies and their opponents, and their manner of doing business in every particular, both in regard to your brother as well as all others."

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5th of September, was worthy of a freeman, and in a free country would have been applauded.

Edwards received an answer from Governor Blanco, dated on the 2d of October, in which, after stating that the letter of the former is not sufficiently respectful, and recapitulating the charges before-named, concludes his reply in this style:—

"In view of such proceedings, by which the conduct of Hayden Edwards is well attested, *I have decreed the annulment of his contract*, and his *expulsion* from the territory of the republic, in discharge of the supreme orders with which I am invested. He has lost the confidence of the government, which is suspicious of his fidelity; besides, it is not prudent to admit those who begin by dictating laws as sovereigns. If to you or your constituent these measures are unwelcome and prejudicial, you can apply to the supreme government; but you will first evacuate the country, both yourself and Hayden Edwards; for which purpose I this day repeat my orders to the authorities of that department—in the execution of which, as they will expel from the country all evil-doers, so they will extend full protection to those of worth, probity, and useful skill, that have settled therein, and are submissive to the laws and constituted authorities."*

* "En bien de tales procedimientos por la quales esta bien calificada la conducta de Haden Edwars hè decretado la anulacion de su contrata y la expulcion del territorio èn la republica, èn cumplemiento delas supremas ordenes con que me hallo. El hà perdido la confiansa del gobierno, dudo de su fidelidad, y no ès prudencia admitir hombres que comiensan por dictar leyes como soberanos. Si à v. ò su poderdante le son estrañas ò perjudiciales estas providencias pueden ôcurrir al gobierno supremo, *pero habiendo antes evacuado èl pais, tanto v. como Haden Edwars*, p^{a}. lo cual hoy repito mis ordenes à los autoridades de este departam^{to}. èn èl concepto deque, asi como se expeleràn del territorio à todos los malvados, se dispensarià todos proteccion à los hombres de bien, de probidad y de conocimientos utiles que esten establecidos èn èl, y sujetor à las leyes, y à las auctoridades constituidas. Dios y libertad! Saltillo, 2^{o}. de O'bre, de 1826.

"BLANCO. JUAN ANTONIO PADILLO, *Sec.*

"A Don B. W. EDWARS *Agente de* HADEN EDWARS."

Previous to the receipt of this letter, Hayden Edwards had returned to Texas; but the rumor came that his contract was to be annulled. This threw everything into confusion. The Mexican population, in anticipation, immediately set up claim to all the valuable places occupied by the Americans! The servile alcalde, Norris, granted all the orders they asked; and Gaines, his brother-in-law, was ready with a company of *regulators* to enforce them. By these means, the Americans were dispossessed, driven from their homes, fined, and imprisoned.[*] Matters had become intolerable. The tyranny of Norris and Gaines had grown to such a height, that their American partisans had nearly all deserted them; and measures were being concerted by the Americans to take vengeance for the accumulated wrongs they suffered. In fact, on the very day of the date of the decree, annulling the contract of the *empresario*, and expelling him and his brother from the country, B. W. Edwards was writing a letter to his friend Thompson, at Ace bayou, to dissuade him from proceeding immediately against Gaines. "Let us wait," says he, "and not prejudice our prospects by premature operations on our part. The government may yet act with faith and justice toward the Americans. . . . The eyes of the government are at this moment upon us all, and much may depend upon our present deportment. Gaines and Sepulveda have been represented to the proper authorities, *and in a little time an investigation must take place.*"[†]

At length, official information was received of the abrogation of the contract, and the decree for the expulsion of the *empresario* and his brother. This was an act of high-handed and inexcusable tyranny. The *empresario* had expended fifty thousand dollars in his enterprise; and he had enlisted the services of hundreds, who had come, or were on the way, or preparing to assist in carrying out the contract. His offences, at most, were but venial, and could not compromit the rights of the state, for she had the right, the law, and the power to enforce them. Why, then, was he not tried? why was not process issued, that he might have a day in court to defend himself? His right was vested, and even under the constitution of Mexico the decree of rescission was unlawful. The state constitution, it was true, had not yet been proclaimed; yet, by the decree of the 25th of August, 1825, it was declared that, "for infringement of constitution or law, a process shall always be instituted."* In this case there was none. In one of the letters written at that time, it was suggested that there must have been some other cause—some potent influence at the capital of Mexico, other than the alleged offences of Hayden Edwards—to produce this extraordinary act on the part of the authorities of the republic. However this may have been, it was done, and, in its consequences, greatly retarded immigration, and taught Mexico that the Americans, however small their numbers, would never submit to her system of administration—that something more than the *name* of "liberty" was needed to satisfy their views of a free country.

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[*] Foote, vol. i., p. 232.

[†] B. W. Edwards to B. T. Thompson, October 2, 1826, MS.

The colonists have been charged with ingratitude. Wherein? They were invited to a desert. They came, and found it inhabited by Indians—and those of such audacity, that even in San Antonio, where the Mexicans mostly lived, they compelled the citizens and soldiers in the place to hold their horses while they paraded about the town! These savages the colonists had to subdue at their own expense and on their own account. Mexico gave them nothing: the lands only were valuable, because they made them so. They were invited to a free country: they were determined to keep it free, not only from Indian cruelty, but Mexican tyranny. If Mexico was slow in learning this fact, it was not the fault of the colonists, for they employed every suitable occasion to impress it upon the rulers of their adopted country.

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* Decree 19, article 12: "Por infraccion de constitucion ó ley siempre se les mandará formar."

The occasion for a lesson now occurred. The settlers on Edwards's grant were determined to resist. The ill temper of the Indians, in not obtaining the titles they had expected for their lands, caused them to make threats against the Mexican government;* and they thought also to avenge themselves upon the white settlements in Texas. Hunter, exercising his great influence among them, induced them to suspend their action till he could visit Nacogdoches. He did so, conferred with the Edwardses, ascertained their feelings, and a mutual league and union were agreed on. The Indians were easily brought into it.

On the 13th of December, 1826, Hayden Edwards and his brother visited the settlers beyond the Attoyac, for the purpose of raising forces. On their return they learned at that river that the enemy were expected at Nacogdoches that night. Preparing a flag, B. W. Edwards and fifteen men hurried into the town on the morning of the 16th. They here ascertained that the enemy consisted of Colonel Ellis P. Bean, who had hastened on from the city of Mexico with a command of about thirty-five Mexican troops; that he had approached within a few miles of the town, learned the state of public feeling there, and had retreated in the direction of the Trinity, to await reinforcements.†

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* Foote, vol. i., p. 234.

† Ib., p. 251. Bean seems not to have taken this war much to heart. In a memorandum-book, in his own handwriting, there is this entry: "December 6, 1826. If the justices of Nacogdoches are imprisoned, or hindered in their functions, then I pay twenty-five dollars; if not, then Señor Y——— gives me one jack and three bottles of wine."

By the 18th, the "*Fredonians*," as the American colonists were then styled, numbered about two hundred men. They took possession of the stone house in Nacogdoches, and commenced fortifying themselves. Having raised the flag of independence, they began to organize their forces and government. Colonel Martin Parmer,* one of the most daring and vigilant men in the colony, was appointed to the command of the military; and suitable *alcaldes*, or, as they preferred to call them, justices of the peace, were chosen for the different settlements. On they 18th they held a court-martial for the trial of Manuel Santos for giving aid and comfort to the enemy, of which he was honorably acquitted. On the 20th, Hunter and Fields, representatives of the Indians, with some other chiefs, came in to consummate the treaty of alliance with the whites. They entered into a general council, and, after three days' deliberation, a solemn league and confederation between the whites and Indians was adopted and signed by the agents of the respective parties, and on the same day ratified by the committees, as representatives of both parties. The objects of the treaty were twofold, as follows:—

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* Martin Parmer was only one of the extraordinary characters that appeared in Texas about that time. His life had been a thrilling romance. He was born in Virginia, in 1775. At twenty years of age he emigrated to Tennessee, where he married Miss Sarah Hardwick. He was engaged for some time in superintending the works of Montgomery Bell, of Dickson county. But his ambition was not satisfied. In 1818, he emigrated to Missouri, and settled fifty miles above the highest county formed in the then territory—surrounded by the Sioux, Iowa, and Osage Indians. He gave fifty dollars for a bear-dog, and by the chase kept such supplies of meat as drew the Indians around him. One of them, called *Two Heart* (from the fact that he had killed a white man, and eaten his heart), came to partake of his bounty, when he spread before him a large quantity of meat, and, standing over him with a drawn knife, forced him to eat till it ultimately killed him! Parmer had numerous and fearful fights with the savages, but at last acquired an influence over them, which induced the government at Washington to appoint him an Indian agent. He was elected a colonel of the militia, and then a member of the convention to form a state constitution. It was shortly after taking his seat in this body, that, two of the members getting into a fight, he interfered in behalf of one of the parties, announcing himself as the "*Ring-tailed Panther*," by which name he was afterward known in the west. After serving two or three terms in the Missouri legislature, Parmer emigrated to Texas, and settled near the Mound prairie. It is said he fired the first gun in the Fredonian war. Among the numerous stories told of him, it is related, upon good authority, that when his bear-dog died, he sent fifty miles for a clergyman to attend the funeral, which he actually did—supposing it to be one of Colonel Parmer's family! His son, from whom the above account is obtained, says he heard the sermon.

1. To divide the territory of Texas between the Indians and Americans. This was done by giving to the former all that portion lying north of a line beginning at the mouth of Sulphur fork; thence to a point not far from Nacogdoches; thence west to the Rio Grande. All the territory south of that boundary to belong to the other party.

2. To prosecute together the war against Mexico, until their independence was consummated.*

This war was commenced with a view and in the expectation that all the American settlers and Indians in Texas would join the insurgents. It was further expected that volunteers from the United States would rally to the "Fredonian" standard. Had these results followed, the revolution might have been successful. But various causes prevented. In regard to the Indians, some of the tribes—the Kikapoos, for instance—had been so badly treated by the whites, that they could not be induced to join them. In addition to this fact, Mexican emissaries had been among them. Bean was in the neighborhood, and had an influence with the Indians.†

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* The treaty was made by Hayden Edwards and Harmon B. Mayo, on the part of the Americans, and Richard Fields and John Dunn Hunter, on the part of the Indians. The Fredonia legislature or committee that ratified it was composed of the following persons, viz.: Martin Parmer, president; Hayden Edwards, W. B. Ligon, John Sprow, B. P. Thompson, Joseph A. Huber, B. W. Edwards, and H. B. Mayo, on the part of the Americans; and Richard Fields, John Dunn Hunter, Ne-ko-lake, John Bags, and Kuk-to-ke, on the part of the Indians. Foote has published the treaty, vol. i., p. 255.

† In Bean's note-book we find this entry: "December 26, 1826. Sent an express to Fields."

A proclamation was sent to Natchitoches for volunteers; but Huber, who carried it, betrayed his friends, and gave such an unfavorable account of affairs at Nacogdoches, that no assistance was obtained from that quarter. The express with an address to Austin's colony met with like ill success.

Saucedo, the political chief of the department, had set out for Nacogdoches with some two hundred troops under the command of Colonel Mateo Ahumada, and reached San Felipe de Austin about the first of January, 1827. Here he issued a proclamation, rather conciliatory in its terms, promising lands to those who were subordinate, and pledging the faith of the government.* His presence in the colony, and the delicate position of Austin, together with the fact that he was ignorant of the wrongs Edwards and his colony had actually suffered, induced him and his colony, not only to refuse any aid to the Fredonians, but to join in opposing them.†

After the first day or two of excitement had passed, and there being no immediate danger of an attack from the enemy, the Fredonians retired to their homes, leaving Colonel Parmer, with a few men, to guard the place. Norris, who had been deposed from his office, seeing the town so poorly defended, collected about eighty followers, of whom ten or twelve were Americans, mostly his relatives, and on the 4th of January marched into Nacogdoches, for the avowed purpose of hanging the Fredonians. Arriving within two hundred yards of the *stone house*, where the latter were stationed, they dismounted, and took a position behind some old houses. The Americans, eleven in number, to whom were united eight Cherokees under Hunter, marched out and charged upon Norris and his forces.

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* Proclamation of José Antonio Saucedo, January 4, 1827, MS.

† Proclamation of Stephen F. Austin, January 22, 1827. Address of B. W. Edwards to the Citizens of Austin's Colony, January 16, 1827.—*Foote*, vol. i, pp. 260, 266.

In a few minutes the latter fled, leaving one killed and ten or twelve wounded, together with about half their horses.

The report of this conflict drew many of the Fredonians into the place, and a better organization of their strength was made. Benjamin W. Edwards was elected colonel and commander-in-chief of the Fredonian forces, and set out in pursuit of Norris. The latter, however, was safely across the Sabine.

In the meantime, the Mexican troops under Ahumada were approaching Nacogdoches. The Fredonians thereupon sent an express to Aes bayou,* for assistance; but Bean had despatched an emissary in advance to these people, promising them pardon and lands. They also sent an express to the Indians, but Bean had likewise anticipated them here, and had promised the Cherokees and their associate bands that they should have the lands they had applied for. Hunter alone was faithful, and the Indians murdered him.†

The Indians had joined the Mexicans, and, on the morning of the 27th of January, 1827, their entire forces were within ten or twelve miles of Nacogdoches. Under these untoward circumstances, the remaining Fredonians evacuated the place, and crossed the Sabine on the 31st. The Mexican troops entered the town shortly after the Fredonians had left, and, through the influence of Austin, treated the inhabitants and prisoners with humanity. Thus ended an affair in every way unfortunate for Texas.

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* From Colonel Bean's note-book: "December 28, 1826. Sent an express to Aes bayou. Sent a spy to Nacogdoches." This spy was John Williams. The Fredonians arrested him as such, but subsequent events prevented the action of the court-martial.

† Colonel Bean, through the instrumentality of John Williams, Elliott, and others, succeeded in detaching the Indians from the whites. These agents, for this service, received each a league of land. It is said that Bowles was hired to assassinate Fields and Hunter. Fields was first killed, and shortly afterward Hunter suffered the same fate near the present town of Henderson. Fields was only a quarter-breed Indian, was very intelligent, and, while in the city of Mexico, joined the York lodge of freemasons.

CHAPTER XVIII.

WHILE this war was progressing in Edwards's colony, the pioneers in Austin's grant were prospering greatly. Settlers also had been coming into other colonies. Colonel Green Dewitt, of Missouri, commenced the settlement of his colony in 1825. His surveyor, James Kerr, arrived on the Brasos in April, 1825. After losing his own family, he, with six other single men, settled with that of Mr. Berry, near the town of Gonzales, in the autumn of the above year. Among these single men was Erastus Smith, afterward so distinguished as a spy in the Texan wars.[*] They raised some cabins and settled themselves, preparatory to the work of surveying. The settlement was increased that fall by the arrival of Edward Morehouse, Henry S. Brown, Elijah Stapp, and some others. In 1826, while a portion of the colonists had gone to join in celebrating the 4th of July at Beason's on the Colorado, and others were out on a buffalo-hunt, an attack was made by the Indians. John Wightman was killed; Durbin wounded, and part of the settlement robbed and burnt. The survivors fled to the settlements on the Colorado; and afterward, when Dewitt came on, with other families, he built him a fort ten miles above Texana, where he remained a year or two.*

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[*] Erastus Smith (known as *Deaf* Smith, because he was hard of hearing) was the son of Chiliab and Mary Smith, and was born in New York, on the 19th of April, 1787. At the age of eleven years he emigrated with his parents to the Mississippi territory, and settled near Natchez. His parents were exemplary members of the baptist church, and gave him such moral and intellectual training as the circumstances around them would permit. He first came to Texas in 1817, perhaps with some of the patriot forces that were constantly arriving at that time in the province. He soon, however, returned home; but, in 1821, he came again to Texas, for the purpose of making it his home. This he did, never leaving it. He was in the country before Austin, but in what section is not known. His nature was to ramble alone, and to be by himself. When Dewitt's settlement commenced at Gonzales, Smith went with the first company; but it appears he did not remain there long, but proceeded to San Antonio, where he married a Mexican lady, by whom he had several children. He had a fine property at Grand Gulf, Mississippi, but he did not attend to it. One of his sons, Trinidad Travis Smith, was educated by K. A. Martin, Esq., of Baldwin, Mississippi. Deaf Smith died at Fort Bend, November 30, 1837. He was a man of remarkable gravity, and of few words. In fact, he seldom answered at all, ex-

The settlement at Victoria, under Martin De Leon, commenced also in 1825.

After the revocation of Edwards's grant, the territory embraced in it was divided between David G. Burnet and Joseph Vehlin, and immigrants from the United States continued to flow into it. Being the nearest colony to the American Union, many settlers stopped there that had, at first, intended to proceed farther.

The congress of the state of Coahuila and Texas at last agreed upon a constitution. It was published on the 11th of March, 1827.† Every officer and citizen was required to take an oath to sustain it, and a programme of the ceremony of its installation was duly prepared.

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cept in monosyllables. When he did speak, it was said to be to the point. His coolness in danger and battle was affirmed to be unsurpassed. The Texan army was greatly favored in having his services as a spy. The country had no truer friend.—*Letter of Alexander Calder, Esq., August* 2, 1852; *and Letter of K. A. Martin*, 1840, *MSS.*

* "Indianola Bulletin," 1852.

† It was published in pamphlet form, in the city of Mexico, in 1827, and has on the second page the following: "Esta Constitucion es propriedad del Estado de Coahuila y Tejas, *y nadie puede reimprimirla sin permiso del Congreso.*" What would be thought of any one of our states that would forbid the publishing of her constitution except by permission of the legislature!

Of the twelve deputies of which the constitutional congress was to be composed, Texas was to have two. These representatives were not to be elected directly by the people; but on the first *Sunday* in August preceding the meeting of the new congress, the people met in primitive assemblies, and voted *viva voce*, or in writing, for eleven electors (if they had only one representative to elect, or twenty-one electors if they had two). The election closed on Monday evening.

Fifteen days after the fourth Sunday in August, these electors met at the towns of their respective districts, and elected their representatives. The same electors who met to choose representatives, voted for electors to repair to the capital of the state, to elect representatives to the general Congress. The same district electors voted for a governor, vice-governor, and council.

The *ayuntamientos*, embracing the *alcaldes*, *sindicos*, and *regidores*, were elected by the people, on the first Sunday in every December, and entered on the discharge of their duties the Sunday following. The *alcalde* combined the duties of our mayors and justices of the peace, with larger powers; the *regidore* may be assimilated to an alderman, and the *sindico* to a recorder. The whole together formed the *ayuntamiento*, having jurisdiction over the entire municipality. Every town of a thousand or more inhabitants was entitled to an ayuntamiento. These town councils were strictly popular bodies, and with their great power protected Texas from oppression until the troops were introduced.

In looking over the constitution of the state of Coahuila and Texas, we see at once that it was framed by novices—men who were not only ignorant of the fundamental laws of free states, but were afraid to intrust power to the people. For instance: "Article 3. The sovereignty of the state resides originally and essentially in the general mass of the individuals that compose it; but they shall not, of themselves, exercise any other acts of sovereignty *than those pointed out in this constitution*, and in the form which it prescribes." Again: "Article 27. The government of the state is popular representative, *federal*."* The makers of the instrument, no doubt, did the best they could, and were actuated by genuine patriotism. Whatever puerilities may be found in the constitution, and in the laws enacted under it, the people of Texas were indifferent and heeded them not, so long as they were left to themselves, and did not feel the weight of strange systems and unmeaning ceremonies. And it is due to the truth of history to declare that the Texans did not feel themselves at home under the Mexican laws. They kept aloof from Mexican politics. They brought with them here, as household gods, their own first lessons in politics, morals, religion, and business, and they wished not to unlearn those lessons to learn others. They did not blend or assimilate with the opposite race, but kept themselves apart—justly reasoning that, if their own institutions were not superior, they were as good as they wished. The Mexicans were aware of this, and endeavored to change by force, when it was too late, what they could not otherwise direct.

Some account of the Mexican regular troops destined for Texas at this period may not be uninteresting. By the decree of the federal Congress, of the 24th of August, 1826, provision was made for raising a permanent cavalry force for the defence of the frontiers. The state of Coahuila and Texas was required to raise seven companies, of one hundred and twenty-four men, rank and file, each. One company was to be stationed at La

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* The general constitution of Mexico, Article 4, says: "The Mexican nation adopts for its government the form of republican representative, popular-federal." The fathers of the state constitution supposed they were doing right to "follow copy."—"*El gobierno del estado es popular representativo federado.*"

Bahia, and another at Bexar. By the decree of the state, of the 29th of April, 1826, the ayuntamientos were authorized to proceed with an armed force, if necessary, to make levies, and take thence a sufficient number of individuals to fill the list. Out of the levies, *vagrants* and *disorderly persons* were to be preferred for military service; then single men; finally, recruits might be raised by entrapment and decoy! Such were to be the troops for the defence of the frontiers.*

But soldiers were little needed during the year 1827, except to overawe the Indians, and that duty devolved upon the colonists. Austin's settlement had so far progressed, that, in the spring of 1826, Gaspar Flores came to Texas as commissioner to issue titles to the five hundred families provided for in the second contract. And, in November, 1827, Austin obtained another contract for a colony of a hundred families east of the Colorado and north of the Bexar road.†

Affairs being thus prosperous with the colonies, the progress of the Mexican nation, in its new career of independence, may be noticed. Liberal governments were not slow in acknowledging the independence of the republic, and in forming commercial treaties with her. Having adopted her constitution, the first Congress assembled under it in the beginning of 1825, and Guadalupe Victoria, her first constitutional president, entered upon his duties, as did also the vice-president, Nicholas Bravo, on the 1st day of April of that year.‡

The antagonism between the republicans and the aristocracy soon made its appearance. It required only a nucleus, or rallying-point. It found two. Soon after the inauguration of John Quincy Adams to the presidency of the United States, he despatched Joel R. Poinsett, of South Carolina, as minister of our country to Mexico. Poinsett was a stern republican, a man of strong intellect, and an earnest well-wisher of the new republic to which he had been accredited. As the Mexican nation had taken our federal constitution as a model for the construction of their own, the republicans of that country naturally looked to our minister for countenance and advice in their political labors. Though he refrained from interfering in their internal concerns, he could hardly avoid making suggestions in his private conversations. This exasperated the anti-republican party.* At that time the masonic lodges in Mexico were working under the *Scotch* rite; but, as a greater antiquity and correctness of masonic usage attached to the *York* rite, they requested Poinsett to procure for them charters authorizing them to work under the latter. Accordingly, as he was informed by two members of President Victoria's cabinet that the government did not disapprove of it, he sent for the proper warrant, and installed them at his own house. The leading members of the *Scotch* lodges, being the old Spaniards and aristocracy of Mexico, immediately connected this affair with the politics of the country. Bravo, the vice-president, being of the anti-republican party, and perceiving the influence of the American minister thus thrown in the scale against his party, employed in his turn whatever influence he possessed against him. He succeeded in procuring from the legislatures of Puebla and Vera Cruz petitions to the general government for the dismissal of the American embassador from the country. Further to aid him, a *papal bull* was issued against the masonic lodges; and a bill was introduced into the national Congress, and finally passed, for their suppression.†

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* Decree No. 25, Constitutional Congress: "Verificadas que sean dichas levas, se destinaran con preferancia al senicio militar los *vagos y mal entretenidos.*"—*Article* 5.

† Dewees's Letters, p. 115.

‡ Constitution of Mexico, Article 101. Niles's Mexico, p. 193.

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* Sketch of Joel R. Poinsett: Democratic Review, March, 1838.

† Kennedy, vol. i., p. 366. This author says the bill was rejected; but he is

Nevertheless, Bravo was unable to succeed in the overthrow of the republican party. He next attempted a revolution; and for this end he raised a small army, and, after making some approaches toward the capital, returned to Tulancingo, whence he was dislodged and taken prisoner, but was afterward released. During all this contest, the French and English ministers, Morier and Ward, were throwing their influence on the side of the aristocratic party.

In this affair the Mexican republicans were right; but not

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mistaken. I have before me the official copy of the law, transmitted to "the *receptoria* of Nacogdoches," as follows:—

"FIRST SECRETARYSHIP OF STATE, DEPARTMENT OF THE INTERIOR.

"SECTION 1. The most excellent president of the Mexican United States has been pleased to direct to me the following decree:

"The president of the Mexican United States to the inhabitants of the republic, know ye, that the general Congress has decreed—

"1. The prohibition of every clandestine meeting, which, by settled rules and institutions, forms a body or college, and makes a profession of secrecy, is renewed.

"2. Citizens who shall resort to such meetings, after the publication of this law, shall, for the first offence, be suspended from their rights one year; for the second, two years; and, for the third, confinement in the Californias four years. If those confined there shall repeat the offence, they shall be expelled from the republic for two years.

"3. Federal officers, and those who may become such in the district and territories, including those of popular appointment, besides the penalty of suspension from office and salary, shall suffer, during the time of their suspension, a deprivation of the rights of citizenship, by virtue of the former article; and, if there shall be a third repetition of the offence, they shall be disqualified for all the offices of which the present article speaks.

"4. Natives, or naturalized persons, not having the rights of citizenship, shall suffer, for the first offence, six months' imprisonment; double the time for the second; perpetual deprivation of the rights of citizenship for the third; and, for the fourth offence, shall be banished for ever from the republic."

(Here follow some further provisions in regard to minors and foreigners.)

"ANTONIO FERNANDEZ MONJARDIN, *President of the Senate.*
"SANTIAGO VILLEGAS, *President of the Chamber of Deputies.*
"JOSE AUGUSTIN PAZ, *Secretary of the Senate.*
"ANASTASIO CERECERO, *Deputy Secretary.*

"Therefore I order it to be printed, published, circulated, and that it be duly executed. "GUADALUPE VICTORIA.

"PALACE OF THE GOVERNMENT OF MEXICO, *October* 25, 1828."

so on the other point which they raised. The revolution had left, among its ill effects, a general hatred against the natives of Old Spain still residing in Mexico. The nation had long felt a desire to expel them. Several of the states set the example; and the general Congress finally, on the 8th of December, 1827, adopted a law for their expulsion. The congress of Coahuila and Texas did not go so far, but merely decreed that they should hold no office in church or state until Spain should acknowledge the independence of the Mexican republic.* These were barbarous laws, violative of the constitution, the claims of hospitality and humanity, and unworthy of the high stand Mexico had assumed as a free country. In addition to this, she thus banished from her society those who possessed nearly all the intelligence and refinement in the nation. Miserable indeed is the condition of that country which supposes that its safety requires the banishment of its most accomplished and useful citizens!

At the period of which we write, the state of Coahuila and Texas was very poor. The local congress had employed all its efforts to raise funds; it had even leased out the *cock-pits*, in order to increase the revenue; but still the treasury was empty. The colonists in Texas were pretty much exempt from taxation, and the Mexicans seldom paid any. The latter had no energy; they made nothing. In fact, they had been stationary for three centuries. What little they possessed went to pay their priests and decorate their festivals. A *tortilla*, a roasted squash, a little boiled milk, and now and then a curdled cheese, and string-beef dried in the sun, formed their common diet. The skins of animals furnished their chief clothing. Such was the condition of the public funds in the spring of 1828, that, on the 17th of April of that year, the state suspended some of her constitutional officers, for want of funds to pay them; and the establishment of the state treasury was also suspended for a like reason.[*] The days of her poverty were the days of her virtue. The new governor, José Maria Viesca, seemed to conduct himself with great propriety, and to watch zealously over the interests of his constituents. Neither he or his congress appeared to have any temptation to do wrong, or to prolong the legislative sessions beyond the time required for the more important and necessary business. Yet, even in the first constitutional congress, monopolies were creeping in. Leon R. Alemy obtained the exclusive right, for six years, of boring Artesian wells;[†] John L. Woodbury and John Cameron had a like privilege, for twenty-three years, of working iron and coal mines in the state;[‡] and John Davis Bradburn and Stephen Staples obtained a similar contract, for fifteen years, for navigating the Rio Grande with steam or horse power.[‖]

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* Decree No. 41: Niles's Mexico.

By a provision of the state constitution, the congress should close its sessions with the month of April, unless prolonged for urgent business.[§] The condition of the treasury required this to be done. Accordingly, it was prolonged to the middle of May, during which time the state authorities succeeded in borrowing funds from the church.[¶]

Colonists in the meantime continued to emigrate to Texas. In 1827 and 1828 there was quite an addition to Dewitt's colony. The town of Gonzales had been laid off, and named after Rafael Gonzales, the provisional governor of the state. On the 29th of July, 1828, Austin obtained another contract, to colonize three hundred families on the reserved lands on the coast.[**] But most of the immigrants that now began to settle in Texas came on their own account—some locating in one colony, and some in others, or on lands not included in any grant. Few of the *empresarios* had taken any steps to fulfil their contracts. Zavala, Burnet, and Vehlin, had sold out to a New York company on speculation.* The contract of Leftwich fell into the hands of the Nashville company.† The grant of Milam, lying between the Guadalupe and Colorado rivers, and north of the Bexar road, could not well be settled because of hostile Indians.

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[*] Decrees Nos. 50 and 2, Constitutional Congress.

[†] Ib., No. 26.

[‡] Ib., No. 46.

[‖] Ib., No. 49.

[§] Article 87, Constitution.

[¶] Decree No. 59

[**] Dewees's Letters, p. 115.

Indeed, during the years 1828 and 1829 the Indians had become troublesome and dangerous to the settlers on the Colorado and Brasos. Numerous cases of murder and theft had occurred, and it became necessary to apply a remedy. During the winter of 1828–'9, Thomas Thompson had opened a small farm near the present town of Bastrop, and occasionally visited it to cultivate it and take care of his crops. On going there in July, 1829, he found the Indians in possession. He returned below for assistance, and obtained ten men, with whom he approached the Indian camp in the night. At daylight they killed four of the savages, and the others fled.

This opened the war. Colonel Austin raised two companies of volunteers, of fifty men each, under the command of Captains Oliver Jones and Bartlett Simms; the whole being under the orders of Colonel Abner Kuykendall. About the same time, the depredations and murders by the Indians in the vicinity of Gonzales induced the raising of another company there, under the command of Captain Henry S. Brown.‡

Learning that a party of Wacoes and Twowakanies were encamped at the mouth of the San Saba, the two commands marched to that point. They halted when near enough, and sent out scouts to ascertain the localities. The Indian scouts

* Almonté's Journal. † Dewees's Letters, p. 116. ‡ Indianola Bulletin, 1852.

discovered them, and gave notice to the others; so that, when the Texans charged into the camp of the enemy, they had fled, and they only succeeded in killing one. Captain Simms and fifteen others pursued them some miles farther, and took from them many of their horses. This expedition had a happy effect in alarming the Indians, and depriving them of many of their animals, together with their peltries and camp-equipage. The volunteers returned after an absence of thirty-two days, during which time they suffered greatly for want of provisions. They subsisted for three days of the time upon acorns and persimmons![*]

These annoyances from the Indians prevented a trade from springing up between Texas and northern Mexico. Their position was favorable to it. As it was, in 1824, a company of Bordeaux merchants landed at Copano, with a large quantity of goods for Santa Fé. They conveyed them some distance beyond San Antonio on packs, when their animals were stolen by the Camanches. They then obtained oxen and carts from San Antonio, and finally succeeded in reaching Santa Fé in safety. During the Mexican revolution, New Mexico, being remotely situated, wisely took no part in it. Her intercourse with the rest of the world was thus for many years cut off, and large sums of gold and silver accumulated within her limits. The manufactures of other countries were in great demand; and the venture of the Bordeaux merchants consequently met with extraordinary success.

The danger from the Indians, however, was too great to permit a continuance of the intercourse. The United States, shortly after, opened a route for traffic from St. Louis, and her merchants realized the benefits of that distant commerce.

The state congress, among its first acts, at the short session in September, 1828, decreed the removal of the capital from Saltillo, in the extreme southern corner of the state, to Monclova, some hundred miles farther to the north.[*]

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[*] Dewees's Letters, p. 127.

Among the colonists in Texas were many who had left heavy debts against them in the country whence they came. These debts were, to some extent, sent against them, and generally placed in the hands of some one in the colony, who was made interested in their collection. To favor the colonists, it was decreed that they should not be sued for such debts for twelve years; and further, that their headright lands should never be subject to the payment of such debts.[†] This was one of the first decrees of the first session of the local congress of 1829; but, shortly after, it prohibited merchants of foreign nations from retailing goods in the state.[‡] This gave great offence to the Texans, and for the reason that they were thus deprived of the cheapest market, and compelled to purchase their merchandise of Mexicans.

The subject of *peonage*, forming as it does an important item in the domestic relations of the state, and being regulated by statutory provisions, requires some notice. By the decree of the 30th of September, 1828, it was provided that the contract between the master and servant should be set down at the head of the account, in presence of witnesses. Articles furnished the servant for his labor should be at the market price; and the master was forbidden to credit him for more than a year's wages, except in case of sickness. The master must show his account to the servant on request; and servants could sue their masters before an alcalde. Masters or overseers were authorized to punish idle or disobedient servants by arrest or confinement with shackles for not more than four days; but the use of the whip was forbidden. The master was to furnish the servant with necessary medicines and sustenance during sickness, and charge the same to his account.

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[*] Decree No. 64. The seat of government was not removed till the spring of 1833 (Decree No. 214). It was doubtless the first cause of the misunderstanding that afterward divided the Mexican portion of the state.

[†] Decree No. 70.

[‡] See Decree No. 83, vetoed by the governor, and Decree No. 91, finally adopted by the congress, which was still more prejudicial to the interests of the people of Texas. The decree (No. 183) of the 9th of April, 1832, was even more severe and prohibitory.

The decree of the 4th of April, 1829, modified these rules. It prohibited joint accounts against servants; required masters to retain one third of servants' wages, and apply the same as a credit on their accounts, except in case of serious sickness, or the absolute nakedness of the servant and his family; also required servants, wishing to be employed, to bring a statement from their former master of the indebtedness to him, and made the new master pay such debt; masters who charged their servants more than the market price for articles, were liable to be fined in five times the excess. So much of the former decree as prohibited the whipping of servants was repealed, and masters and overseers were permitted to chastise their servants in a parental manner; but they were responsible for excessive punishment. If the servant left his master's service, the alcalde could compel his return, and punish him according to the facts. When the servant wished to leave his master, he could compel the latter to furnish him a statement to show to his new master. Actions of servants against their masters were privileged suits. Masters were not required to bury their servants who died in their debt.*

Such were the rules under which a majority of the Mexican population were held in perpetual servitude. Their wages were so extremely low, and their improvidence was so great, that it was a rare occurrence for one to be out of debt.

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* Decrees 67 and 86.

The American portion of the population of Coahuila and Texas had, in lieu thereof, the institution of *slavery*, which occupied a peculiar position under the state and federal laws.

The constitution of Coahuila and Texas made it what is technically called "a free state." It provided specially, that "from and after the promulgation of the constitution in the capital of each district, no one should be born a slave in the state; and, after six months, the introduction of slaves, under any pretext, should not be permitted."[*] The state congress, in pursuance of this provision, required the several ayuntamientos to take a list of the names, ages, and sex of the negroes in their municipalities, at the end of six months from the promulgation of the constitution; and also to keep a register of all slaves born in the state after its publication. The death of slaves was likewise to be noted in the register. The owners of slaves, dying without children, made the slaves free; and, when they had children, the tenth part of the slaves were to be free.[†] This decree further required that free children born of slaves should receive the best education that could be given them.[‡]

It was provided by another decree, passed in 1827, that any slave who, for convenience, wished to change his master, could do so, provided the new master would pay the old one the amount he gave for him, as stated in the bill of sale.[‖]

Meanwhile, in the capital of Mexico, the usual scenes of anarchy and bloodshed were transpiring. At the close of President Victoria's term there was a most excited contest between the two political parties in regard to his successor. The republican or federal party brought forward Vincent Guerrero, and the centralists or strong-government party placed in nomination Manuel Gomez Pedraza, as their respective candidates. Pedraza was at heart favorable to the aristocracy, but had occasionally acted with the republicans, which doubtful course gave him greatly the advantage over Guerrero, who was a consistent republican, and known to be such. The election came off in September, 1828; and, although Guerrero had a large majority of the popular vote, Pedraza received ten states in the electoral college, while his opponent obtained but eight.* In the United States, the constitution would have taken its course, and such evils would have been corrected at the ballot-box. Not so in Mexico.

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[*] Article 13, Constitution.

[†] Decree No. 18.

[‡] If it was only intended that the free negro children should have an education *equal* to that of children free born, it was literally complied with—for the matter was wholly neglected!

[‖] Decree No. 35.

As the president elect was not to be installed until the following April, the liberal party determined to place Guerrero in the presidential chair. The movement was revolutionary, and Santa Anna and Zavala† were at the head of it. Santa Anna *pronounced* at Xalapa, and Zavala raised an army in the capital. After a bloody battle of some days, the party of Guerrero triumphed, and he was installed as president. The state of Coahuila and Texas, had been favorable to Guerrero, and approved of the plan of Xalapa; but when the revolution was over, they recommended a perfect oblivion of passed political differences, declaring that they would not be parties to a system of revenge.‡

The United States were not satisfied with the treaty of 1819, by which Texas had been ceded to Spain. On the 26th of March, 1825, directly after John Quincy Adams was installed in the presidential chair, Henry Clay, as secretary of state, gave special instructions to the American minister to endeavor to procure from Mexico the re-transfer of Texas. The instructions were repeated on the 15th of March, 1827. Like instructions were given by Martin Van Buren, secretary of state, on the 25th of August, 1829.* In the meantime, however, as good faith on the part of the United States required a confirmation of the treaty of limits of 1819, Joel R. Poinsett concluded such a treaty with the Mexican government on the 12th of January, 1828, with a provision that the line between the two countries should be run immediately.†

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* Sketch of Joel R. Poinsett: Democratic Review, March, 1838.

† Zavala was a native of Yucatan, and had been imprisoned by the Spanish government for his liberal principles. Released by the revolution from the castle of San Juan d'Ulloa, he was one of the first representatives from Yucatan in the federal Congress. He was governor of the state of Mexico at the time he joined in this attack upon the constitution, little thinking that he was establishing a precedent for his own ruin.

‡ Decree No. 110.

The increase of colonists induced the granting, on the 11th of June, 1829, to James Powers, of a contract for settling two hundred families between the Coleto and the Nueces; and to M'Mullen and M'Gloire, on the 17th of August of the same year, a like contract on territory between the San Antonio and Nueces rivers.‡ A considerable town had sprung up at La Bahia, and the state congress had honored it with the name of a *ville*, and called it *Goliad.*‖

The neighborhood of Liberty had been settled as early as 1805, but scarcely possessed vitality until about this period, when settlers began to extend along the banks of the Trinity. About the same time a sparse settlement sprang up on the Texan side of Red river; but immigrants came and located there on their own account. Not knowing to what jurisdiction they belonged, they kept aloof from all municipal laws, except those of their own making, and lived as they best could. In complexion, however, they were greatly superior to their predecessors of the *neutral ground.*

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* Texas Question: Democratic Review, April, 1844.

† Elliot's Diplomatic Code, vol. ii., p. 111. For various causes, this line was not run until Texas achieved her independence. One of the despatches taken by "Deaf Smith," just before the battle of San Jacinto, was an order to Santa Anna to proceed east with his army and protect Almonté, the commissioner, while he was running the line.

‡ Dewees's Letters p. 117.

‖ Decree No. 73, February 4, 1829.

The legislature took some steps to establish a system of education. Two laws were enacted for this purpose. The first, in May, 1829, made provision for a school of mutual instruction, on the Lancastrian plan, in each department. It provided that the teachers should instruct the pupils in reading, writing, arithmetic, the dogma of the Roman catholic religion, and all Ackerman's catechisms of arts and sciences.* In April following, the legislature passed another law, establishing temporary schools on a like plan.† But all this effort resulted in nothing. The people did not second the views of the legislature. To give an idea of the state of education in Mexico, we can not do better than refer to the description of an intelligent eye-witness:—

"I have just returned," says Mr. Poinsett, "from visiting a school, and have been much amused with the appearance of the pedagogue. In a large room, furnished with two or three cowhides spread on the floor, and half a dozen low benches, were ten or twelve little urchins, all repeating their lessons as loud as they could bawl. The master was stalking about the room, with a ferule in his hand, and dressed in a most grotesque manner. He had an old *manta* wrapped about his loins, from under which there appeared the ends of tattered leather breeches, hanging over his naked legs; sandals were bound round his ankles; a leather jerkin, the sleeves worn off, and a dirty handkerchief twisted round his head, above which his shaggy hair stood erect, completed his dress. He seemed perfectly unconscious of his uncouth appearance, but received me very courteously, dismissed his scholars immediately, and at once entered into conversation on the state of the country. . . .

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* Decree No. 92.

† Decree No. 129.

He told me that he was born in that house, and had never wandered beyond the precincts of the village. Several of the country-people came in while we were talking, and treated the pedagogue with great respect. He appeared to be their oracle."*

Those Texan settlements that would justify it, established private schools for the instruction of their children. In cases where parents could afford it, their children were sent to the United States to be educated.

But little can be said of the religious progress of the Texans as early as 1830. They may have furnished certificates of their catholic leaning, but they employed very little of their time in its exhibition.†

Father Henry Doyle, a catholic clergyman, and a native of Ireland, located himself in the Irish colony, early in 1830, and attended to the religious rites for that portion of Texas. In addition to the regular priests at San Antonio, Goliad, and Nacogdoches, there were occasional visits from other catholic ministers to the different settlements, for the purpose of attending to the ordinances of the church. Among these was Father Michael Muldoon, likewise from Ireland—a man of a warm heart, a social and generous spirit, who will be long held in grateful remembrance by the old settlers of Texas.‡ Anterior to this, some protestant clergymen visited the eastern part of the state, and in one or two instances penetrated even as far as San Antonio; but this will be noticed hereafter.

The first part of the year 1830 passed quietly in Texas. Mexico, however, was gradually encroaching upon the rights of the colonists. The subject of slavery was one cause of it. Spain, with a view to re-establish her authority in the republic, sent out from Havana, in July, 1829, an expedition of four thousand men, under General Barradas. These troops landed at Tampico, and produced such alarm in Mexico, that the federal Congress, overlooking the restrictions of the constitution, gave to President Guerrero unlimited powers. He determined to send a secret agent to Boyer, president of Hayti, to obtain his aid in exciting the slaves of Cuba to revolt. Preparatory to this step, Guerrero, acting under the decree appointing him dictator, proceeded, on the 29th of July, 1829, to abolish slavery in the Mexican republic.*

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* Poinsett's Notes (November 28, 1822), p. 190.

† Dewees's Letters, p. 137.

‡ Decrees Nos. 165 and 189.

This proceeding, though high-handed and in violation of vested rights, was acquiesced in by the Mexican people. Among the Mexican owners, it was only in the sugar-plantations that the negro was valuable. "One hundred free negroes," says Edwards, "though receiving double the wages of the Indian, are found to produce as much sugar as two hundred do in Cuba, without the owner supporting their wives and children. . . . . . These negroes are, however, over-paid, and in consequence become drunkards, vicious, and unruly. Indians, properly taught, would perform the same labor at half price."† And so thought the Mexicans. They argued that the *peons* were more profitable, and that their employers were without the necessity of supporting their families.

The American colonists, however, still continued the practice of introducing their slaves, under the appellation of *servants*. Austin, fearful of the effects of the decree of abolition on the prosperity of his colony, applied to President Guerrero, who agreed to modify it in favor of the American colonists. Guerrero's administration, however, was suddenly closed by his tragic death. Bustamente, the vice-president, who was a strong centralist, *pronounced* against him, drove him from the capital to the mountains, assumed the presidential chair, and exercised the functions of his office in a manner so sanguinary and proscriptive, that Guerrero, in again attempting to resume his station, was taken and shot. Bustamente, now undisputed master of Mexico, soon exhibited his narrow policy in regard to the Texan colonies. On the 6th of April, 1830, he issued a decree, substantially forbidding people of the United States from settling as colonists in Texas, and suspending all colony contracts conflicting with this prohibition.* By the same decree, the further introduction of slaves was forbidden.

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* Kennedy, vol. i., p. 368; M. Van Buren, Secretary of State, to A. Butler, *Chargé des Affaires* to Mexico, November 30, 1829; Foote, vol. i., p. 308.

† History of Texas, p. 120.

The congress of Coahuila and Texas, perplexed with the repeated revolutions in the national capital, and wishing to keep on good terms with the successful party, did not know what course to pursue. They ordered a bust of the "illustrious" Guerrero to be set up in their hall, but, when adversity came upon him, they repealed the order. They also named a town after Bustamente, and then, by another decree, struck out his name!

The September elections of 1830 showed that José Maria Letona was elected governor and Juan Martin Veramendi vice-governor of the state. This result was favorable to Texas, as the latter was a resident of San Antonio, and a man of liberal principles. At this time appeared before the state congress James Bowie. He had married a daughter of Veramendi, and under his auspices went to Saltillo to establish a cotton and woollen manufactory. With this view, the legislature naturalized him, and granted him a charter; but more important duties awaited him, and nothing was done.†

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* Kennedy, vol. i., p. 375.

† Decrees Nos. 159 and 160. James Bowie, a son of Rezin Bowie, was born

Among the proceedings of the state congress at this period, as well as in other Mexican states, may be seen a gradual encroachment upon the alleged rights of the church. The state would exact loans from it, forbid it from despatching its ecclesiastical orders without consent of the secular power, and withdrew the right of exacting forced contributions for festivals: in fact, the church was brought into subjection to the civil power. These were seeds sown in the Mexican republic, which, being well cultivated by the priests, and properly directed by ambitious leaders, brought forth that bitter fruit which, in a few years after, the Texans were required to eat.

It was a feeling of jealousy toward the American colonists in Texas that induced the decree of April 6, 1830. The privileges allowed them at first, in regard to importations, were about to cease, and they were to be subdued and made as submissive as the Mexicans themselves under Bustamente. With a view to this, customhouses were not only established at Nac-

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in Burke county, Georgia. Of his parents, it is said they were from Maryland. The father was a man of strong mind and sound judgment. The mother was a pious and excellent lady, and from her it was thought that the children inherited their remarkable energy of character. They had five children, viz., David, James, Rezin P., John J., and Stephen, who were all large, muscular men. In 1802, the family removed to Chatahoula parish, Louisiana. On the 19th of September, 1827, James Bowie was engaged, on a bar of the Mississippi, in a duel with Norris Wright and others—one of the bloodiest rencontres of this class on record—in which he was wounded, and two men were killed. Shortly after this he came to Texas, as did also his brother Rezin P. Bowie. The above facts are collected from "De Bow's Review." In the same periodical may be found a complete sketch of James, by his brother John J. James Bowie was about six feet high, of fair complexion, with small blue eyes, not fleshy, but well proportioned; he stood quite erect, and had a rather fierce look; was not quarrelsome, but mild and quiet, even at the moment of action. He was quite sociable, and somewhat disposed to intemperance, but never drunk. He had a wonderful art in winning people to him, and was extremely prodigal of his money. His muscular power was as great as his daring: his brother says he had been known to rope and ride alligators! His great speculation was in purchasing negroes from Lafitte, and smuggling them into Louisiana. This is the most unpleasant feature in his history.

ogdoches and Bexar, but at Copano, Velasco, and Galveston, or rather at Anahuac, at the head of the bay. General M. Mier y Teran, a stern and merciless monarchist, was appointed commandant-general of the eastern states. Colonel John Davis Bradburn, one of the heroes of Iguala, tired of navigating the Rio Grande with steam and horse power, had sought and obtained the position of commander of the forces at Anahuac. Colonel Dominic Ugartachea had command at Velasco, the port at the mouth of the Brasos; Colonel Piedras at Nacogdoches; while Don Ramon Musquiz presided as a political chief at Bexar.

In addition to these high officers, Ellis P. Bean, a colonel in the regular army of Mexico, had been stationed in eastern Texas, rather as agent for the central government to the different Indian tribes. In the contest which seemed to be now approaching, neither party appeared willing to trust him. He was assigned a position at Fort Teran, on the Neches, where was stationed a detachment of troops. The forces at the foregoing points were as follows: at Nacogdoches, three hundred and twenty; at Anahuac, one hundred and fifty; and at Velasco, one hundred and twenty-five. These, with the two presidial companies at Bexar and Goliad, constituted the Mexican power that was to overawe twenty thousand colonists, and bring them to submit to the arbitrary measures of Vice-President Bustamente. The state congress, among its last decrees,* placed one hundred and fifty more troops at the disposal of General Teran. The character of these forces may be inferred from the description furnished by the law, and given on a previous page, of the kind of soldiers preferred.

Colonel Bradburn took the first step in carrying out the views of his superiors. He introduced martial law for the citizens; he took from them their property without their consent and without consideration; he had many of them arrested and imprisoned in the fort of Anahuac; and his troops, who were guilty of robbery and stealing, were by him protected from punishment.*

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* Decree of September 28, 1830.

These were some of the grievances of which the colonists of Texas complained before the close of the year 1830. It was not the entertainment to which they had been invited!

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* T. J. Chambers's pamphlet, 1833.

CHAPTER XIX.

The year 1831 found the American population of Texas still increasing. They now numbered about twenty thousand; and, notwithstanding the general law of April 6, 1830, prohibited natives of the United States from immigrating, they still continued to come. They had friends and relatives in Texas, and wished to be with them. Others, attracted by the generous nature of the soil and the fine climate, were induced to come in order to find homes in the new state. The greater part of these prohibited immigrants had settled east of the Trinity. They had fixed upon their homes, designated their lands, and desired titles. They had come under the control of no empresario, but under the general provisions of the law, on their own account. They made repeated applications for titles to their lands.

As early as 1829, the state of Coahuila and Texas had despatched Juan Antonio Padilla as commissioner-general to eastern Texas, to extend titles to the colonists; and with him came Thomas J. Chambers* as surveyor-general of the state.

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* Thomas J. Chambers, a native of Orange county, Virginia, went to the city of Mexico in 1826, and for three years was diligently occupied in the study of their laws, manners, and institutions. Though young, he was already a ripe scholar when he went to the city. He soon made himself master of their laws and language. An acquaintance formed with Don Victor Blanco, then vice-governor of Coahuila and Texas, introduced him to the authorities of that state,

But the jealousy of those opposed to the settlement of eastern Texas caused Padilla to be arrested upon a false accusation, and thus broke up the commission.[*]

The colonists in eastern Texas, not to be outdone in this way, held public meetings, and sent their petitions to the state government, asking the appointment of another commissioner.[†] In the meantime, the state legislature had assembled at Saltillo, and Licentiate José Maria Letona was declared duly elected governor, and Juan Martin de Veramendi vice-governor, of the state.[‡] The latter, a resident in San Antonio, indicated a favorable disposition toward Texas. The applications for a commissioner to extend titles was attended to; and Francisco Madero was despatched to the Trinity, with José Maria Carbajal, his surveyor, for that purpose.[‖] Madero was a gentleman of popular manners, and much esteemed by the colonists. He proceeded with energy in the discharge of his duties, but was suddenly arrested by order of General Manuel Mier y Teran, commandant-general of the eastern states, and, with Carbajal, confined in the prison of Anahuac. Teran was a genuine monarchist, and a fit instrument to carry out the designs of Bustamente. The alleged excuse or ground of their arrest was, that they were extending titles to natives of the United States who had immigrated since the decree of the 6th of April, 1830. It is probable that such titles had been extended; but this was an affair of the state, appertaining to the *civil* authorities: and, although they had the authority of Bustamente for their proceedings, it was as clearly illegal as was the decree

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to which he emigrated in 1829. Gifted with talents of a high order, and with persuasive manners, he soon gained the confidence of the state government. This, added to his devotion to free institutions, enabled him to do much for Texas in the days of her infancy.—*Sketch of T. J. Chambers: Galveston*, 1853.

[*] Sketch of T. J. Chambers, p. 9.

[†] Ib., p. 10.

[‡] Decree of January 5, 1831.

[‖] Kennedy, vol. ii., p. 4.

of the 6th of April. Though these officers were acting under the law, and the authority of the state, nothing could be done by the latter toward their release without drawing upon it the vengeance of Bustamente.*

Among the acts of Commissioner Madero was the erection of the municipality of Liberty. The ayuntamiento was duly elected and organized, holding its sessions at the town of Liberty, some thirty miles above Anahuac. As the design of the military was obviously to bring the country under their subjection, Colonel Bradburn, commandant at Anahuac, dissolved the ayuntamiento of Liberty, and ordered one for the same municipality at Anahuac.† Such was the tyranny of Bradburn, however, that his ayuntamiento fled from him, and took refuge in Austin's colony.

The sudden change in the policy of Mexico in regard to her Texan colonies can not be attributed altogether to a mere tyrannical disposition on the part of the acting president, Bustamente. The introduction of so many troops, the usurpation of the military, the interference of the supreme government in preventing the state from extending titles to the colonists, the imposition of taxes, the prohibition of merchandise on the part of the colonists, and numerous other grievances, and hindrances to their prosperity, had their origin mainly in an apprehension on the part of Mexico that the United States would, in some way or other—through their citizens domiciliated in Texas—set up a claim to the country. Reference to some facts will place this matter in a clear light.

The retrograde movement commenced in the latter part of 1829. We have referred to the repeated applications of the

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* Governor's Message, 1832.

† This place had been previously known as *Perry's point*. Its position, at the head of Galveston bay, caused it to be erected as a port of entry. It was known at that time as the *port of Galveston*, the island not being then occupied.

United States to purchase Texas of Mexico. The boundary-line between Louisiana and Texas, as established by the treaty of 1819, had not been run previous to the treaty of Cordova in 1821. Mexico, acquiring her independence, became a party to the former treaty instead of Spain. In the instructions to Mr. Poinsett, our first minister to Mexico, dated March 26, 1825, he was directed to sound that government upon the question of making a new line.[*] The proposition was made, but Mexico insisted on the treaty-line. In 1827, he was instructed to propose to the Mexican government the purchase of Texas, and to offer for the country as far as the Rio Grande a million of dollars; or, if that should not be accepted, half a million for the part lying east of the Colorado.[†] These propositions were rejected; and, although the United States had repeatedly acknowledged the validity of the boundary as agreed to with Spain in 1819, yet such was the uneasiness of Mexico, that her chamber of deputies passed a resolution that they would not take into consideration the treaty which the two governments had agreed on, until an article was inserted recognising the boundary named in the treaty with Spain. The government of Mexico also despatched General Teran, in 1828, to run the line agreed on by that treaty. This was on its own account, the convention for running the line not having been concluded. Again, in 1829, Mr. Van Buren, secretary of state, instructed Mr. Poinsett to make another proposition to purchase Texas. He proposed to give four millions of dollars for the territory east of the line dividing the waters of the Rio Grande and the Nueces. If that could not be obtained, then the minister was to offer a sum in proportion for the territory east of the Lavaca; or, if that could not be acquired, then the line of the Colorado, and lastly that of the Brasos, was to be proposed.*

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[*] "The line of the Sabine approaches our great western mart nearer than could be wished. Perhaps the Mexican government may not be unwilling to establish that of the Rio Brasos de Dios, or the Rio Colorado, or the Snow mountains, or the Rio del Norte, in lieu of it."—*Mr. Clay to Mr. Poinsett, March* 26, 1825.

[†] Among the reasons assigned by Mr. Clay for making the purchase are the following: "The great extent and the facility which appears to have attended the procurement of grants from the government of the United Mexican States, for large tracts of country to citizens of the United States, in the province of Texas, authorize the belief that but little value is placed upon the possession of the province by that government. These grants seem to have been made without any sort of equivalent, judging according to our opinions of the value of land. They have been made to, and apparently in contemplation of being settled by, citizens from the United States. These emigrants will carry with them our principles of law, liberty, and religion; and, however much it may be hoped they might be disposed to amalgamate with the ancient inhabitants of Mexico, so far as political freedom is concerned, it would be almost too much to expect that all collisions would be avoided on other subjects. Already some of these collisions have manifested themselves, and others, in the progress of time, may be anticipated with confidence. These collisions may insensibly enlist the sympathies and feelings of the two republics, and lead to misunderstandings."—*Mr. Clay to Mr. Poinsett, March* 15, 1827.

During the period of these negotiations, the growth of the colonies, the *émeute* of the "Fredonians," the general sturdy spirit of the settlers, and, above all, the reasons advanced by the United States in favor of a sale of Texas, had excited in the Mexican mind a general feeling of jealousy and uneasiness. This feeling soon found its way to the public. Lucas Alaman, secretary of state, in his report to the Mexican Congress in 1829, uses the following language:—

"The North Americans commence by introducing themselves into the territory which they covet, on pretence of commercial negotiations, or of the establishment of colonies, with or without the assent of the government to which it belongs. These colonies grow, multiply, become the prominent part in the population; and as soon as a support is found in this manner, they begin to set up rights which it is impossible to sustain in a serious discussion, and to bring forward ridiculous pretensions, founded upon historical facts which are admitted by nobody, such as La Salle's voyages, *now known to be a falsehood*, but which, at this time, serve as a support for their claim to Texas. These extravagant opinions are, for the first time, presented to the world by unknown writers; and the labor which is employed by others in offering proofs and reasonings, is spent in repetitions and multiplied allegations, for the purpose of drawing the attention of their fellow-citizens, not to the justice of the proposition, but to the advantages and interests to be obtained or subverted by their admission.

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* Mr. Van Buren to Mr. Poinsett, August 25, 1829.

"Their machinations in the country they wish to acquire are then brought to light by the appearance of explorers, some of whom settle upon the soil, alleging that their presence does not affect the question of the right of sovereignty, or possession of the land. These pioneers, by degrees, excite movements which disturb the political state of the country in dispute; and then follow discontent and dissatisfaction calculated to fatigue the patience of the legitimate owner, and to diminish the usefulness of the administration and of the exercise of authority. When things have come to this pass—which is precisely the present state of things in Texas—the diplomatic management commences. The inquietude they have excited in the territory in dispute, the interests of the colonists therein established, the insurrections of adventurers and savages instigated by them, and the pertinacity with which the opinion is set up as to their right of possession, become the subjects of notes, full of expressions of justice and moderation, until, with the aid of other incidents, which are never wanting in the course of diplomatic relations, the desired end is attained of concluding an arrangement, onerous for one party, as it is advantageous to the other.*

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* Don Alaman was not aware of the accurate sketch he was drawing of the mode by which Spain wrested Texas from France!

"It has been said further, that, when the United States of the North have succeeded in giving the predominance to the colonists introduced into the countries they had in view, they set up rights, and bring forward pretensions, founded on disputed historical facts, availing themselves generally, for the purpose, of some critical conjuncture to which they suppose the attention of government must be directed. This policy, which has produced good results to them,* they have commenced carrying into effect with Texas. The public prints in those states, including those which are more immediately under the influence of their government, are engaged in discussing the right they imagine they have to the country as far as the Rio Bravo. Handbills are printed on the same subject, and thrown into general circulation, whose object is to persuade and convince the people of the utility and expediency of the meditated project. Some of them have said that Providence had marked out the Rio Bravo as the natural boundary of those states; which has induced an English writer to reproach them with an attempt to make Providence the author of all their usurpations! But what is most remarkable is, that they have commenced that discussion precisely at the same time they saw us engaged in repelling the Spanish invasion, believing that our attention would, for a long time, be thereby withdrawn from other things."†

In addition to the above causes of uneasiness, a report had been circulated in the newspapers of the United States that Texas would be invaded by American adventurers; and, although it had no foundation in fact, it found ready hearers in the jealous Mexicans.[*] It was, then, clearly more through fear of the growing strength of the colonies, than the tyrannical disposition of Bustamente, that steps were taken against them by the supreme government. The tyranny consisted in the illegal mode of passing and enforcing its decrees. Their inexpediency was manifested in the result. All the misfortunes of Mexico in planting and rearing her colonies have arisen from her ignorance of the character of her colonists. She wished to nurse them when they did not ask it: she wished to correct them when they would not bear it.

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* Referring to the course taken by the United States in regard to the Floridas.

† General Barradas, with four thousand five hundred Spanish troops, landed at Tampico on the 20th of July, 1829; and, after various conflicts with the Mexican forces under Santa Anna, capitulated on the 12th of September following.

Having taken her measures, she sent troops to enforce them; and directed that these troops should be paid out of taxes to be raised from the colonists through the customhouses. To this the latter were not inclined to submit; especially when they saw that the military were to supersede the civil authorities. The better to enforce the collection of the customs duties, and prevent smuggling, orders were published by the commandants at Anahuac and Velasco, closing all the maritime ports except the port of Galveston at Anahuac. As this would draw the commerce of the greater part of Texas to these ports, the colonists resolved to have the decree rescinded.

Accordingly, a large meeting of the citizens was held in the town of Brasoria, on the 16th of December, 1831, to consider the matter. Branch T. Archer and George B. M'Kinstry were chosen by the meeting commissioners to proceed to Anahuac, and demand of Colonel Bradburn that he should rescind the obnoxious order, or they would attack the place. The commissioners discharged their duty faithfully. Bradburn asked time till he could communicate with General Teran: but they would not allow it, and drew from him the order of revocation. Thus did the colonists exhibit a specimen of their spirit.

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[*] Extract of a letter from John A. Wharton to Sam Houston:—

"NASHVILLE, TENNESSEE, *July* 25, 1829.

.... "I have heard you intended an expedition against Texas. I suppose, if it is true, you will let some of your Nashville friends know of it. It is stated in the papers, and believed generally, that Spain is fitting out an expedition against Mexico. Twenty-five hundred men are to start from Havana, and land at Campeachy, there to await the arrival of four thousand more; and in the fall to commence the attack, and reduce that government to its former state. Should this be true, I make no doubt but you will join the Mexicans. I certainly will do it.... "JOHN A. WHARTON.

"General SAM HOUSTON, *Cantonment Gibson.*"

As they increased in power, they received the more consideration from the state legislature. The department of Texas was divided into two districts, the line of division being the dividing ridge between the Trinity and the Brasos and San Jacinto rivers. Nacogdoches was made the residence of the political chief of the eastern district; while the chief of the western district continued to reside at Bexar.* This decentralizing movement was democratic.

The year 1831 did not pass away without being witness to a battle, which, considering the numbers engaged, and its results, was the best-contested field in Texas. On the 2d day of November, Rezin P. Bowie, James Bowie, David Buchanan, Robert Armstrong, Jesse Wallace, Matthew Doyle, Cephas D. Hamm, James Corriell, Thomas M'Caslin, and two servant-boys, Charles and Gonzales, set out from San Antonio in search of the old silver-mines of the San Saba mission. "Nothing particular occurred," says Rezin P. Bowie,† whose graphic narrative we quote, "until the 19th, on which day, about ten, A. M., we were overhauled by two Camanche Indians and a Mexican captive. They stated that they belonged to Isaonie's party (a chief of the Camanche tribe), about sixteen in number, and were on their road to San Antonio, with a drove of horses, which they had taken from the Wacoes and Twowokanas, and were about returning to their owners, citizens of San

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* Decree No. 164.

† Holly, p. 161.

Antonio. After smoking and talking with them about an hour, and making them a few presents of tobacco, powder, shot, &c., they returned to their party, who were waiting at the Llano river.

"We continued our journey until night closed upon us, when we encamped. The next morning, between daylight and sunrise, the above-named Mexican captive came to our camp, his horse very much fatigued, and who, after eating and smoking, stated to us that he had been sent by his chief, Isaonie, to inform us we were followed by a hundred and twenty-four Twowokana and Waco Indians, and that forty Caddoes had joined them, who were determined to have our scalps at all risks. Isaonie had held a talk with them all, the previous evening, and endeavored to dissuade them from their purpose; but they still persevered, and left him, enraged, and pursued our trail. As a voucher for the truth of the above, the Mexican produced his chief's silver medal, which is common among the natives in such cases. He further stated that his chief requested him to say that he had but sixteen men, badly armed, and without ammunition; but, if we would return and join him, such succor as he could give us he would. But, knowing that the enemy lay between us and him, we deemed it more prudent to pursue our journey, and endeavor to reach the old fort on the San Saba river before night—distance, thirty miles. The Mexican then returned to his party, and we proceeded on.

"Throughout the day we encountered bad roads, being covered with rocks, and, the horses' feet being worn out, we were disappointed in not reaching the fort. In the evening we had some little difficulty in picking out an advantageous spot where to encamp for the night. We, however, made choice of the best that offered, which was a cluster of live-oak trees, some thirty or forty in number, about the size of a man's body. To the north of them was a thicket of live-oak bushes, about ten feet high, forty yards in length and twenty in breadth; to the west, at the distance of thirty-five or forty yards, ran a stream of water.

"The surrounding country was an open prairie, interspersed with a few trees, rocks, and broken land. The trail which we came on lay to the east of our encampment. After taking the precaution to prepare our spot for defence, by cutting a road inside the thicket of bushes, ten feet from the outer edge all around, and clearing the prickly pears from among the bushes, we hoppled our horses, and placed sentinels for the night. We were now distant six miles from the old fort above mentioned. . . . . . Nothing occurred throughout the night, and we lost no time in the morning in making preparations for continuing our journey to the fort; and, when in the act of starting, we discovered the Indians on our trail to the east, about two hundred yards distant, and a footman about fifty yards ahead of the main body, with his face to the ground, tracking. The cry of 'Indians!' was given, and all hands to-arms. We dismounted, and both saddle and pack horses were immediately made fast to the trees. As soon as they found we had discovered them, they gave the war-whoop, halted, and commenced stripping, preparatory to action. A number of mounted Indians were reconnoitring the ground. Among them we discovered a few Caddo Indians—by the cut of their hair—who had always previously been friendly to the Americans.

"Their number being so far greater than ours (one hundred and sixty-four to eleven), it was agreed that Rezin P. Bowie should be sent out to talk with them, and endeavor to compromise rather than attempt a fight. He accordingly started, with David Buchanan in company, and walked up to within about forty yards of where they had halted, and requested them, in their own tongue, to send forward their chief, as he wanted to talk with him. Their answer was, 'How de do? how de do?' in English, and a discharge of twelve shot at us, one of which broke Buchanan's leg. Bowie returned their salutation with the contents of a double-barrelled gun and a pistol. He then took Buchanan on his shoulder, and started back to the encampment. They then opened a heavy fire upon us, which wounded Buchanan in two more places, slightly, and piercing Bowie's hunting-shirt in several places without doing him any injury. When they found their shot failed to bring Bowie down, eight Indians, on foot, took after him with their tomahawks, and, when close upon him, were discovered by his party, who rushed out with their rifles, and brought down four of them—the other four retreating back to the main body. We then returned to our position, and all was still for about five minutes.

"We then discovered a hill to the northeast at the distance of sixty yards, red with Indians, who opened a heavy fire upon us, with loud yells—their chief, on horseback, urging them in a loud and audible voice to the charge, walking his horse, perfectly composed. When we first discovered him, our guns were all empty, with the exception of Mr. Hamm's. James Bowie cried out, 'Who is loaded?' Mr. Hamm answered, 'I am.' He was then told to shoot that Indian on horseback. He did so, and broke his leg, and killed his horse. We now discovered him hopping round his horse on one leg, with his shield on his arm to keep off the balls. By this time, four of our party, being reloaded, fired at the same instant, and all the balls took effect through the shield. He fell, and was immediately surrounded by six or eight of his tribe, who picked him up and bore him off. Several of these were shot by our party. The whole body then retreated back of the hill, out of sight, with the exception of a few Indians, who were running about from tree to tree, out of gunshot.

"They now covered the hill the second time, bringing up their bowmen, who had not been in action before, and commenced a heavy fire with balls and arrows, which we returned by a well-directed aim with our rifles. At this instant another chief appeared on horseback, near the spot where the last one fell. The same question of 'Who is loaded?' was asked. The answer was, 'Nobody;' when little Charles, the mulatto servant, came running up with Buchanan's rifle, which had not been discharged since he was wounded, and handed it to James Bowie, who instantly fired and brought him down from his horse. He was surrounded by six or eight of his tribe, as was the last, and borne off under our fire.

"During the time we were engaged in defending ourselves from the Indians on the hill, some fifteen or twenty of the Caddo tribe had succeeded in getting under the bank of the creek, in our rear, at about forty yards' distance, and opened a heavy fire upon us, which wounded Matthew Doyle, the ball entering the left breast and coming out at the back. As soon as he cried out that he was wounded, Thomas M'Caslin hastened to the spot where he fell, and observed, 'Where is the Indian that shot Doyle?' He was told by a more experienced hand not to venture there, as, from the reports of their guns, they must be riflemen. At that instant they discovered an Indian; and, while in the act of raising his piece, was shot through the centre of the body, and expired. Robert Armstrong exclaimed, 'D—n the Indian that shot M'Caslin, where is he?' He was told not to venture there, as they must be riflemen; but, on discovering an Indian, and while bringing his gun up, he was fired at, and part of the stock of his gun cut off, and the ball lodged against the barrel. During this time our enemies had formed a complete circle round us, occupying the points of rocks, scattering trees, and bushes. The firing then became general from all quarters. Finding our situation too much exposed among the trees, we were obliged to leave them, and take to the thickets. The first thing necessary was, to dislodge the riflemen from under the bank of the creek, who were within point-blank shot. This we soon succeeded in doing, by shooting the most of them through the head, as we had the advantage of seeing them when they could not see us.

"The road we had cut round the thicket the night previous gave us now an advantageous situation over that of our enemy, as we had a fair view of them in the prairie, while we were completely hid. We baffled their shots by moving six or eight feet the moment we had fired, as their only mark was the smoke of our guns. They would put twenty balls within the size of a pocket-handkerchief, where they had seen the smoke. In this manner we fought them two hours, and had one man wounded—James Corriell—who was shot through the arm, and the ball lodged in the side, first cutting away a small bush, which prevented it from penetrating deeper than the size of it.

"They now discovered that we were not to be dislodged from the thicket, and the uncertainty of killing us at random; they suffering very much from the fire of our rifles, which brought half a dozen down at every round. They now determined to resort to stratagem, by putting fire to the dry grass in the prairie, for the double purpose of routing us from our position, and, under cover of the smoke, to carry away their dead and wounded, which lay near us. The wind was now blowing from the west, and they placed the fire in that quarter, where it burnt down all the grass to the creek, and then bore off to the right and left, leaving around our position a space of about five acres untouched by the fire. Under cover of this smoke they succeeded in carrying off a portion of their dead and wounded. In the meantime, our party was engaged in scraping away the dry grass and leaves from our wounded men and baggage, to prevent the fire from passing over them; and likewise in piling up rocks and bushes to answer the purpose of a breastwork. They now discovered they had failed in routing us by the fire, as they had anticipated. They then reoccupied the points of rocks and trees in the prairie, and commenced another attack. The firing continued for some time, when the wind suddenly shifted to the north, and blew very hard.

"We now discovered our dangerous situation, should the Indians succeed in putting fire to the small spot which we occupied, and kept a strict watch all around. The two servant-boys were employed in scraping away dry grass and leaves from around the baggage, and pulling up rocks and placing them around the wounded men. The point from which the wind now blew being favorable to fire our position, one of the Indians succeeded in crawling down the creek, and putting fire to the grass that had not been burnt; but, before he could retreat back to his party, was killed by Robert Armstrong.

"At this time we saw no hopes of escape, as the fire was coming down rapidly before the wind, flaming ten feet high, and directly for the spot we occupied. What was to be done? We must either be burnt up alive, or driven into the prairie among the savages. This encouraged the Indians; and, to make it more awful, their shouts and yells rent the air—they, at the same time, firing upon us about twenty shots a minute. As soon as the smoke hid us from their view, we collected together and held a consultation as to what was best to be done. Our first impression was, that they might charge on us under cover of the smoke, as we could make but one effectual fire:

the sparks were flying about so thickly, that no man could open his powder-horn without running the risk of being blown up. However, we finally came to a determination, had they charged us, to give them one fire, place our backs together, draw our knives, and fight them as long as any one of us was left alive. The next question was, should they not charge us, and we retain our position, we must be burnt up. It was then decided that each man should take care of himself as well as he could until the fire arrived at the ring around our baggage and wounded men, and there it should be smothered with buffalo-robes, bearskins, deerskins, and blankets; which, after a great deal of exertion, we succeeded in doing.

"Our thicket being so much burnt and scorched, that it afforded little or no shelter, we all got into the ring that was made around our wounded men and baggage, and commenced building our breastwork higher, with the loose rocks from the inside, and dirt dug up with our knives and sticks. During this last fire the Indians had succeeded in removing all their killed and wounded which lay near us. It was now sundown, and we had been warmly engaged with the Indians since sunrise; and they, seeing us still alive and ready for fight, drew off at a distance of three hundred yards, and encamped for the night with their dead and wounded.

"Our party now commenced to work, in raising our fortification higher, and succeeded in getting it breast-high by ten, P. M. We now filled all our vessels and skins with water, expecting another attack next morning. We could distinctly hear the Indians, nearly all night, crying over their dead, which is their custom; and at daylight they shot a wounded chief—it being also a custom to shoot any of their tribe that are mortally wounded. They, after that, set out with their dead and wounded to a mountain about a mile distant, where they deposited them in a cave on the side of it. At eight in the morning, two of the party went out from the fortification to the encampment, where the Indians had lain the night previous, and counted forty-eight bloody spots on the grass, where the dead and wounded had been lying.* . . . . . .

"Finding ourselves much cut up—having one man killed and three wounded, five horses killed and three wounded—we recommenced strengthening our little fort, and continued our labors until one, P. M., when the arrival of thirteen Indians drew us into it again. As soon as they discovered we were still there, and ready for action, and well fortified, they put off. We after that, remained in our fort eight days."

The company then set out for San Antonio, where they arrived safely, with their wounded and horses, in twelve days.†

The Mexican government had been, during the year 1831, collecting the materials that were to burst into a conflagration in the course of the following year. Blackburn, at Anahuac, guarding at once the land from surveyors sent by the state to run it off, and the port of Galveston from smugglers, was in the vicinity of the most impracticable portion of the Texan population. Nor did he seem to use any means to conciliate them. On the contrary, his conduct was, in every way, despotic. He compelled their servants to work for him without remuneration; he took, for his own use, their property; he declared martial law; his soldiers ravaged and plundered the country around the fort. On one occasion, a soldier having committed an outrage, the citizens, indignant, arrested the offender, and inflicted upon him summary punishment. Blackburn thereupon caused some of those concerned to be taken and cast into the dungeon of the fort. Of these were William

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* The Indians had eighty-two killed and wounded!—*Holly*, p. 172.

† The reader will excuse the length of this account of a *model* Indian fight.

B. Travis, Patrick H. Jack, and Monroe Edwards—the latter since as notorious for his crimes as the former for his defence of the rights of Texas.

These multiplied wrongs could no longer be borne. The people of Trinity flew to arms, and, to the number of sixty, under the command of Colonel Francis W. Johnson, marched to the fort at Anahuac, to demand a release of the prisoners and a redress of grievances.* Blackburn at first declined the negotiation; but, finding them in earnest, and the place already invested, and some little fighting having already occurred, he agreed to their proposition, provided they would first retire some miles from the fort, and deliver up the prisoners they had taken. They retired to Turtle bayou, where they awaited his compliance. Their retirement gave Bradburn an opportunity to secure some military stores from a house they had occupied, and to notify Colonel Piedras, commandant at Nacogdoches, and Colonel Ugartachea at Velasco, of his situation. While the Texans were waiting at Turtle bayou, for a compliance on the part of Bradburn, they held a public meeting, and drew up a paper, setting forth the arbitrary and unconstitutional conduct of Bustamente;† and also their adherence to the constitution of 1824, and their determination to support it. They invited all the people of Texas to co-operate with them, and sent a committee, with a copy of their proceedings, to lay the same before the proper Mexican authority in Texas.

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* The different accounts of this affair are very conflicting: Foote, vol. ii., p. 16; Kennedy, vol. ii., p. 6; Holly, p. 322; Dewees's Letters, p. 142.

† The meeting was held on the 13th of June, 1831.—*Holly*, p. 323. The list of grievances and resolutions are given in *Edward*, p. 185–187. The resolutions, *inter alios*, declare—that "we view with feelings of the deepest interest and solicitude the firm and manly resistance which is made by those patriots, under the highly-talented and distinguished chieftain Santa Anna, to the numerous encroachments and infractions which have been made by the present administration upon the laws and constitution of our beloved and adopted country." By the last resolution they invited all the people of Texas to co-operate with them in the "correct enforcement and interpretation of the constitution and law. according to their true spirit."

In the meantime, Colonel Bradburn, having made his arrangements, eschewed the agreement he had made with the Texan forces, and set them at defiance. Exasperated at this treachery, the latter despatched messengers for reinforcements. They sent to Velasco for artillery, but Colonel Ugartachea would not allow it to come. However, a company under Captain Abner Kuykendall shortly arrived from San Felipe, and others, in smaller detachments, came in from the Trinity; and they soon found themselves two or three hundred strong. They took their position at Taylor White's, six miles from Anahuac.

By this time, Colonel Piedras, with part of the forces from Nacogdoches, and fifty or a hundred Shawnee and Cherokee Indians,* was advancing to the relief of Colonel Bradburn. The Texans, learning of his approach, sent a committee to meet him, and lay before him the conduct of Bradburn. Colonel Piedras was a gentleman of mild manners, loyal to his government, and of a conciliatory disposition. He listened to the complaints of the colonists, and granted their requests. The prisoners were released, and Colonel Bradburn sent to New Orleans, whence he returned to Mexico.† The forces under Colonel Johnson, having achieved the object for which they had collected, dispersed to their homes.

During this year, events had been transpiring in Mexico which greatly aided and excused the Texans in their hostile movements. The despotism of Bustamente had become intolerable. On the 2d of January, 1832, the officers of the garrison of Vera Cruz *pronounced* in favor of the constitution, and drew up an address to Bustamente, denouncing the course pursued by the government, and demanding the dismissal of his ministers.[*] At the same time the garrison called upon Santa Anna to assume the command. In fact, he was secretly at the head of the movement. He repaired immediately to Vera Cruz, and took the command. Bustamente sent a force, under General Calderon, against the insurgents; but they failed in their object, and retired. The troops at Tampico, and then the state of Zacatecas, joined Santa Anna. Soon he became strong enough to march upon the capital. But it was not until November of this year that Bustamente, seeing himself deserted, and Santa Anna approaching with a powerful army, resigned his authority, and fled from Mexico.

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* It is said that the Indians were overreached by Piedras; and that when, on the march, they learned his destination was against the Texans, they deserted him.

† Foote, vol. ii., p. 18. Bradburn returned to Texas with Santa Anna in 1836 He was in one of the rear divisions, and was not taken.

The people of Texas, selecting from the *plans* presented by the Mexican factions, were ever ready to adopt the most liberal; and though, in the beginning of the *émeute* at Anahuac, they did not have in view the support of any of these plans, they gladly availed themselves of the plan of Vera Cruz, then in progress. Hence their warm and doubtless sincere professions of attachment to the constitution of 1824 and the "heroic"

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[*] Niles, p. 202. "Whenever a set of people in Mexico become dissatisfied from any common cause, or from mere want of excitement, they begin by uttering complaints and imprecations against the existing form of government, or its members, mingled with praises of some other system or persons: this, the first stage of a revolution, is termed a *grito*. If the *grito* continues unchecked for some days, a public meeting is held, in which the grievances and modes of redress are discussed, and arrangements are made for expressing them more clearly: this second stage is called a *pronunciamento*. Then comes the *plan*, always bearing the name of the place at which it was concluded. Every large city in Mexico has its *plan;* in more than one instance the garrison of a little post, headed by a sergeant, has issued its propositions for a change of government, accompanied by the resolutions of the framers to die in its support."—*Democratic Review, March*, 1838.

Santa Anna, who was then fighting, as they firmly believed, the battles of the people.

Lieutentant-Colonel Dominic Ugartachea, in command at Fort Velasco, had a force of one hundred and twenty-five men and a small piece of artillery. He was subject to the orders of Colonel Bradburn, his superior officer. Exception was taken to his refusal to permit the Texans on the Brasos to transport artillery to Anahuac. As early as the 11th of May, a meeting had been held in Brasoria in reference to an attack upon the post, but the proposition failed.* Again, another meeting was held in the early part of June, having in view the same object. The success of Santa Anna in Mexico determined the Texans as to the course they would pursue.

On the morning of the 25th of June, the Texans, to the number of one hundred and twelve, under the command of Captain John Austin, approached Fort Velasco, and made a formal demand of the surrender of the place; promising, if the summons was obeyed, that the soldiers should retire with their arms, provided they should be sent out of Texas. The summons being totally disregarded, Austin made his preparations for an attack. A schooner, lying aground above the fort, was dislodged and set afloat; and forty Texans, under the command of Captain William I. Russell, were placed on board of her. She was supplied with a light piece of artillery, an abundance of ammunition, and floated down and moored close to the bank, near the fort. The land-forces of the Texans were marched to within twenty-five paces of the fort, when the engagement commenced. The Texans were much exposed; but the artillery in the fort, which was directed against the schooner, overshot them. The Texan rifles, however, were very fatal to those in the fort. A Mexican soldier who raised his head above the parapet seldom escaped. The action having begun in the night, but little execution was done until daylight on the morning of the 26th. At one time during the fight, the Texan fire from the schooner was so fatal, that the Mexicans rushed out of the fort to take the vessel, but the fire of the besiegers from the land-side drove them back with loss. At length, after a bloody contest of eleven hours, the Mexicans exhibited the white flag, and capitulated. The enemy were deprived of their arms, furnished with provisions, and set at liberty.* The loss of the Texans in this battle was seven killed and twenty-seven wounded; that of the Mexicans, thirty-five killed and fifteen wounded.

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* Foote, vol. ii., p. 19. "*By one vote*," says Foote.

At the beginning of the military display in Texas, the Mexican commandants had written home that the object of the Texans was a separation from Mexico; and these reports received credit among the officers of the "*Liberating* army."† Colonel José Antonio Mexia, with a squadron of five vessels, having on board four hundred men, sailed from Tampico with orders to reduce Matamoras, then in possession of the partisans of Bustamente, and afterward to chastise the Texan revolters. Arriving at Brasos Santiago, he came to an agreement with Colonel Guerra, the commandant at Matamoras, who was induced to espouse the cause of Santa Anna; and, on the 14th of July, Mexia sailed for the mouth of the Brasos, where he anchored on the 16th, bringing with him Colonel Stephen F. Austin, on his return from the legislature.

Mexia immediately addressed a letter to John Austin, enclosing a copy of the agreement made with Guerra at Matamoras, stating the object of his visit to Texas, and what would have been his course had the late movements in that department had for their object its dismemberment from Mexico.*

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* Letter of John Austin to Colonel Mexia: Edward, p. 184.

† Santa Anna had the command of the first division of this army, operating against Bustamente. Montezuma, the commandant of Tampico, and the first to join Santa Anna in support of the plan of Vera Cruz, had command of the second division.

Captain Austin, in his reply, set forth in a manly spirit the wrongs of the Texans inflicted by the military, and declared the adherence of his people to the Mexican confederation—affirming that "they were Mexicans by adoption, were so in heart, and would so remain; that if the laws had granted to them the honorable title of '*citizens*,' they wished that title should be respected; and that they should be governed by the authorities established by the constitution of the state."

All these things being in accordance with the republican views of Colonel Mexia—for he was a sincere republican—a deputation of the citizens of Brasoria waited on him, on board the "Santa Anna," and invited him to proceed with Colonel S. F. Austin to the town. They were accordingly conducted to Brasoria, where Colonel Mexia was presented by the committee from Turtle bayou with the resolutions of the meeting at that place on the 13th of June. The proceedings of the day closed with a dinner, in which many sentiments were drunk indicative of the temper of the Texans.†

The ayuntamiento of San Felipe de Austin took advantage of the presence of Colonel Mexia, and of the political chief of Bexar, Don Ramon Musquez—who had visited that town for the purpose of investigating the difficulties in question—to ascertain the sentiments of all the colonists, and present them to those functionaries in legal form. This they did on the 27th of July, 1832.

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* See the letter, and Austin's reply, in Edward, p. 184. Captain John Austin was at that time second alcalde of the second department of Austin's colony. The seat of justice was then at Brasoria.

† Edward, p. 187. Among the toasts, Edward gives the following: "*The Republic of Mexico and the States of the North:* They are the same in principle and object, and need only know each other to be united in feelings and warm friendship."—"*Coahuila and Texas:* They are dissimilar in soil, climate, and productions; therefore they ought to be dissolved."

After denouncing the calumnies that had been circulated in Mexico against the loyalty of Texas, the ayuntamiento charged the late outbreaks to "the tyrannical and illegal acts of Colonel Bradburn;" they solemnly adhered to the principles of the republican party headed by Santa Anna; they disclaimed having in view any other object than to "contribute in sustaining the constitution, and the true dignity and decorum of the national flag." They further declared that the general and state constitutions ought to be religiously observed as the only guaranty for public tranquillity and national freedom. After denouncing a large standing army, and the usurpations of Bustamente, they ordered that a copy of their proceedings should be sent by Colonel Mexia to Santa Anna, and a like copy by Musquez to the state legislature.*

Colonel Mexia then returned with his fleet and forces to Matamoras, taking with him such of the Mexican soldiers in Texas as were disposed to act against Bustamente. Previous to his departure, however, he had addressed a communication to Colonel Piedras, the commandant at Nacogdoches, asking his adherence to the party of Santa Anna. This was refused.

It was known to the citizens of Nacogdoches that Colonel Don José de las Piedras was opposed to Santa Anna, and that he was at heart a monarchist. His officers were also generally adverse to him in politics; but they feared to take any steps in opposition to his authority. During the latter days of July, 1832, the civil authorities of Nacogdoches communicated with those of Aes bayou, Teneha, and Bevil; and it was agreed to unite in compelling the Mexican force at Nacogdoches to declare for the constitution of 1824, or else to fight. Accordingingly, the troops from these settlements concentrated on the last day of July; and, on the night between the 1st and 2d of August, they encamped directly east of the town, and all the families evacuated the place. After a conference between the civil and military authorities, Isaac W. Burton, Philip A. Sublett, and Henry W. Augustin, were appointed a committee to wait on Colonel Piedras, and present to him the alternative agreed on. He chose to fight. The committee reported his answer to the Texan forces, then amounting to about three hundred men. They elected James W. Bullock, of San Augustine, to the command, and, at noon on the 2d of August, marched into Nacogdoches, where they manœuvred for some time, waiting to be attacked; but, finding that the enemy did not show himself, they advanced into the centre of the town. When a little north of the *stone house*, they were suddenly charged by the Mexican cavalry, numbering about one hundred men. The latter fired and wheeled, and received a round from the Texan rifles as they retired. In this charge the Mexicans killed Don Encarnacion Chirino, the alcalde of the town. The Texans then took possession of the houses on the north and east sides of the square, and, whenever any of the enemy showed themselves, they were shot. The Mexicans made one sortie in the evening. It was commanded by a young officer who was known to be friendly to the Texans and to their cause, and who had shown his friendship for them in the Fredonian troubles of 1827. The Texans spared him. With the repulse of this sortie, the fighting ceased. During the night, Piedras and his troops evacuated the place, leaving behind him his killed and wounded, public stores, and clothing. His ammunition he had thrown into the wells.

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* See these resolutions in Edward, p. 190.

Colonel James Bowie, who was engaged in this action, was despatched, with a few chosen men, to pass by the retreating

Mexicans, and give them a warm reception as they crossed the Angelina, twenty miles distant. He succeeded in this, by taking the lower road. As the advanced guard of the enemy, commanded by Sergeant Marcos, rode into the water, and stopped to allow their horses to drink, the Americans fired on them. Marcos fell. The Americans then drew back, and the Mexican troops proceeded on their way to a house on the hill west of the river, where they passed the night. Bowie's men, twenty in number, encamped a mile below. The next morning, upon a demand to surrender, Colonel Piedras turned over the command to Major Francisco Medina, who declared immediately in favor of the constitution of 1824.*

The Mexican loss in this battle was forty-one killed and as many wounded, while that of the Texans was but three killed and five wounded. The prisoners, three hundred and ten in number, were sent, under the care of Colonel Bowie, to San Felipe. Colonel Piedras was placed in charge of Captain Asa M. Edwards, to be by him delivered to Colonel Mexia at Anahuac. On the way, Edwards received news of the sailing of Mexia for Matamoras; he therefore took Piedras to Colonel S. F. Austin, by whom he was forwarded to Tampico.†

The Texans, in order to reduce the entire department of Texas into acquiescence with the measures adopted by them, began to assemble at Gonzales; but the intelligence arrived that the state of Coahuila and Texas had come into the *plan*,* whereupon the towns all submitted, and the people returned to their homes.

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* The chief portion of this account is taken from a statement of the late Colonel A. Sterne, dated January 25, 1851. He was in the battle. I have before me the official account made out by Colonel Bullock, dated August 9, 1832. It is a meagre affair. Among other things, he says: "At the time we made the attack, about sixty Cherokees, under Bowles, well armed and mounted, were in gunshot. I sent for them, and, after much explanation, they appeared to understand the object for which we were fighting; stating that they had been deceived by Colonel Piedras, who had told them many lies, &c. We, however, doubted their sincerity, and they no doubt would have assisted him had we not so completely succeeded."

† This disposition of the prisoners is taken from the "Journal of Asa M. Edwards," now before me. The numbers of killed and wounded are derived from Colonel Bullock's report.

"Thus ended," says Edward, "the warlike commotions of these colonies, on the 2d of September, 1832, just as the inhabitants were informed that their greatest arch-enemy, General Teran, and his troops, on their way to Mexico from Matamoras, had been surrounded by the liberal forces of General Montezuma, and that too on the identical plain where the injudicious Iturbide lost his life. Teran, having determined within himself neither to unite with the liberals nor to submit to them as a prisoner, retired to a private place and fell on his own sword!—appearing to those who found him, while still alive, as inexorable in the hour of death as he was uncompromising in political life."

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* Decree of August 11, 1832. This decree was passed by the standing deputation (*diputacion permanente*), and was afterward confirmed by the state congress, Decrees Nos. 201 and 205.

CHAPTER XX.

THE Texans had thus far triumphed; but, in so doing, they had the aid and countenance of one of the powerful factions which alternately sway the destinies of Mexico, and drench her fields with blood. Notwithstanding they were on the popular side, they had been unfortunate in exhibiting to the statesmen of Mexico their power. It had been seen that, unaided, they had swept their own department of the Mexican soldiery, and defied the officers of the customs. It was a lesson not to be forgotten.

The experience of the past few years had satisfied the Texans that they should be separated from Coahuila. It will be remembered that, from 1727 to 1824, Texas was a separate province, and in nowise connected with Coahuila, more than with any other political division of Mexico.* The Constitutional Congress of the last-named year had temporarily united it with Coahuila; providing, however, by the second article of the *Acta Constitutiva*, that "so soon as Texas should be in a situation to figure as a state by itself alone, it should give notice of the same to the general Congress for its resolution."

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* "Under the plan of Iguala and the treaties of Cordova, it [Texas] was entitled to one deputy in the cortes of the Mexican empire, which it was provided should be called. When the Constitutional Congress had determined to adopt the federal form of government, and provided for the election of the convention, or *congreso constituyente*, to form the constitution, Texas had continued in the same isolated situation, and was allowed one representative, whom it accordingly sent." — *Thomas J. Chambers's Pamphlet*, 1838.

The Texans had many just grounds of complaint against their union with Coahuila. The latter had three fourths of the representation in the state legislature; and its population, being composed almost wholly of Mexicans, would naturally be disposed to keep the former in subjection. Hence the administration of justice in Texas was neglected; the right of trial by jury was postponed; the laws were published in a language unknown to the colonists; and many other abuses and ills they suffered, which, with a state organization of their own, they might have remedied.*

Having found themselves able to drive the Mexican soldiery out of their territory, the Texans believed their department was "in a situation to figure as a state," and took measures to call a convention to adopt a constitution, and lay it before the supreme Congress for its resolution. Accordingly, after a short notice, the convention met at San Felipe, in October, 1832, and entered upon the discussion of a separate state constitution. The work was one of delicacy. Two things were to be attained: the instrument was to be so framed as to pass the ordeal of the national Congress, and not come too much in conflict with Mexican prejudices; and it must contain all those elements of Anglo-Saxon liberty usual in such cases—such as trial by jury, the *habeas corpus*, the absence of restraints upon the rights of conscience, and opposition to a standing army. The shortness of the notice given for the assembling of the convention, and the absence of a number of the delegates, prevented a satisfactory conclusion of their labors. Accordingly, after sitting a week, they adjourned. What they had done, however, was important, inasmuch as the subject was brought before the public mind; and the convention which, in the April following, met for the same purpose, came together more fully instructed and prepared.[*]

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* Chambers's Pamphlet, 1833.

The civil war between Santa Anna and Bustamente continued to rage in Mexico; but after the death of his favorite general Teran, Bustamente proposed terms of peace, which were accepted by Santa Anna. It was agreed that Pedraza, the legally-elected president of 1828, should be reinstated in his office, and that both parties should unite in support of the constitution of 1824. The national Congress, however, refused to ratify this agreement. The two generals, notwithstanding, enforced it, and, on the 26th of December, 1832, placed Pedraza in the presidential chair.[†] Having accomplished this object, Santa Anna retired to await the reward which he expected for his patriotic efforts in behalf of the constitution of 1824.

Thus, in the autumn of the year 1832, Texas seems to have been at peace; and, at the close of that year, the ship of state in Mexico appears to have got under way. But these were treacherous signs of peace. Already were some engaged in forging the chains of slavery, and others in storing up munitions of war.[‡]

On the 28th of April, 1832, the state legislature made an entire change in the colonization law. They repealed the general colonization law of 1825, known as Decree No. 16, and, instead thereof, limited the *empresas* to Mexicans; modifying the terms of sale to Mexican purchasers, extending the rights of colonists, and excluding natives of the United States.* Yet they showed some liberality in recognising existing contracts, and even in extending the time within which some of the *empresarios* were to introduce the requisite number of colonists.† The legislature also, at the instance of the Texan delegation, introduced the practice of creating municipalities, and directing the election, by the people, of municipal officers.‡ This was a point gained—a continuance of that decentralizing process by which the people were extracting power from the political chiefs. These municipal corporate bodies, elected by the people, sympathized with them, and two years afterward became *nuclei* around which they rallied and organized in defence of their rights.

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[*] Kennedy, vol. ii., p. 18.

[†] Ib., p. 11. The convention between Santa Anna and Bustamente was concluded at Zavaleta, on the 23d of December, 1832.

[‡] What reliance can be placed upon historians, when we find such contradictions as the following, in regard to the last months of 1832 in Texas? "The Texan colonists were exposed to severe trials at the close of this year. Hardly had they been relieved from the Mexican soldiery, when they were threatened with a formidable irruption of frontier Indians. Against these savages their own moral and physical resources constituted the sole means of defence, with the exception of less than seventy soldiers maintained by the citizens of Bexar."—*Kennedy*, vol. ii., p. 14. "For a short period now, Texas enjoyed peace, prosperity, and happiness. Immigration began to flow in again from the United States, and to strengthen the claims of the province to admission into the Mexican confederacy as a coequal member thereof."—*Foote*, vol. ii., p. 25.

In the midst of all these scenes, Colonel Austin was calm. His object was to consummate his great work. He desired that his colony should live, and grow, and prosper. At the same time he wished it to be free; and, although he foresaw, as did all men of discernment, that a people of the elevated and independent character of his colonists could not and would not long live in subjection to the changing, antiquated system of government followed by Mexican statesmen, yet, before the separation came, he wished to see his people in their manhood—able to grapple with an enemy who would not easily surrender so great a prize.

The statesmen of Mexico looked at these scenes with very different eyes. They would gladly have cherished Texas, and conferred upon her many favors; but they were afraid of her.

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* Decree No. 190.

† Decree No. 192.

‡ Decree No. 196.

The Anglo-Saxon love of liberty—the lofty bearing of the humblest of the colonists—their enterprise, intelligence, and abhorrence of the bloody scenes of Mexico—and their general contempt for the Mexican rulers—made them an object of dread to the supreme government at the capital. The active movements of the summer of 1832 began to attract the attention of the people of the United States, and the love of adventure drew to the colonies many enterprising and daring spirits. These, by the prominent stand they took in Texas, increased this dread.

Among the new-comers into Texas in the year 1832 was Sam Houston, late governor of the state of Tennessee, a man of extraordinary fortunes. By birth a Virginian, but brought up in Blount county, among the mountains of East Tennessee, he volunteered at an early age as a soldier in the army; was promoted to the rank of lieutenant; fought at the battle of the *Horse-shoe*, in which he was severely wounded; returned to Tennessee, where he attracted the attention of General Jackson, and was taken into his military family; was appointed Indian agent for the Cherokees; he afterward studied law, was elected attorney-general for Tennessee, and major-general of the state militia; represented the Nashville district in Congress; was elected governor of the state; married—which soon proving unfortunate, he resigned his office of governor, and in April, 1829,* went into voluntary exile, among those

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* Houston was appointed second lieutenant in the 39th regiment of infantry, by President Madison, on the 20th of April, 1815, "to rank as such from the 20th of May, 1814;" and first lieutenant in the 1st regiment of infantry, by President Monroe, on the 5th of March, 1818, "to rank as such from the 1st of May, 1817." In November, 1817, he was appointed sub-agent of the Cherokee Indians. On the 14th of December, 1821, he was elected major-general of the middle division of Tennessee militia. In August of the years 1823 and 1825 he was elected a representative to Congress; and in August, 1827, he was chosen governor of the state of Tennessee.

Cherokee Indians for whom he had been agent twelve years before. But they had been removed, and in 1829 were living on the Indian lands near Cantonment Gibson. Houston had been adopted by the chief John Jolly, and on the 21st of October of the above-mentioned year was admitted to the rights of citizenship,* by an official act of the authorities of the nation. Among these people he subsisted by trade, making an occasional trip to the older states until 1832. During the time of his exile, the papers were filled with stories in regard to the gigantic projects he had in view. At one time he was represented as intending to join Mexico against the Spanish invasion of 1829. At another, it was said that he intended to retreat into the Rocky mountains, and engage in the fur-trade. Again, that he intended to invade and detach Texas from the Mexican confederacy — one account stated, with the Cherokee Indians; another, with adventurers gathered from all parts of the United States, meeting at a rendezvous in Arkansas. All these reports were equally untrue. Houston, stricken with a grief strictly private, and of which the world knew not, had gone from society to find a resting-place for a troubled spirit. Time alone could restore his mind to its wonted elasticity. It may well be supposed that, during that period of depression and gloom, he was hatching no treason against the Union, nor was his mind employed in any such gigantic projects. These reports, however, had spread far and wide. They had reached the ears of President Jackson. A letter from him, dated at Washington city, June 21, 1829, shows that he disbelieved them: "It has been communicated to me," said he, "that you had the *illegal enterprise* in view of conquering Texas; that you had declared you would, in less than two years, be *emperor* of that country, by conquest. I must have really thought you deranged to have believed you had such a wild scheme in contemplation; and particularly, when it was communicated that the physical force to be employed was the Cherokee Indians! Indeed, my dear sir, I can not believe you have any such chimerical, visionary scheme in view. Your pledge of honor to the contrary is a sufficient guaranty that you will never engage in any enterprise injurious to your country, or that would tarnish your fame."*

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* The instrument says: "In consideration of his former acquaintance with and services rendered to the Indians, and his present disposition to improve their condition and benefit their circumstances, and our confidence in his integrity and talents, if he should remain among us — we, as a committee appointed by order of the principal chief, John Jolly, do solemnly, firmly, and irrevocably grant to him for ever all the rights, privileges, and immunities, of a citizen of the Cherokee nation, &c. . . . .

"Walter Webber, *Pres't Com.*
"Aaron Price, *Vice-Chief.*
"John Brown, *Clerk.*

"Approved, JOHN JOLLY *Principal Chief.*"

In December, 1830, President Jackson received a letter from a Dr. Mayo, stating that Houston had imparted to him his design of conquering Texas by means of the "Indians in the Arkansas territory, and recruits among the citizens of the United States." The president, on receipt of this letter, wrote confidentially to William Fulton, secretary of state for Arkansas, at Little Rock, stating the intelligence he had received, and that, although he "believed the information was erroneous," yet such was his detestation of the criminal steps alluded to, that he wished him to watch the course of things, and keep him constantly advised of any such movements. Colonel Fulton made the proper inquiries, and informed the president that there were no such hostile movements on foot in Arkansas against Texas or Mexico.* This correspondence obtained consequence from the use made of it by Ex-President John Quincy Adams in 1838.

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* An eloquent passage from this same letter will not be unacceptable: "My affliction was great, and as much as I well could bear, when I parted with you on the 18th of January last. I then viewed you as on the brink of happiness, and rejoiced. About to be united in marriage to a beautiful young lady, of accomplished manners and of respectable connections, and of your own selection—you the governor of the state, and holding the affections of the people: these were your prospects when I shook you by the hand and *bade you farewell!*—You can well judge of my astonishment and grief in receiving a letter from you, dated at Little Rock, A. T., 11th of May, conveying the sad intelligence that you were then a private citizen, '*an exile from your country!*' What reverse of fortune! How unstable are all human affairs!"

As to the time when Houston first determined to come to Texas, it is useless to inquire: it is, however, tolerably certain that he did not determine to make it his home until 1833. As early as the autumn of 1829, he received strong solicitations from his friends to immigrate hither.† It was on the 10th of December, 1832, that he first crossed Red river, near Jonesborough, on his way to Nacogdoches. He had two objects in view: first, to act as a confidential agent of the government of the United States in looking into the condition and disposition of the Indian tribes, particularly the great nation of the Camanches; and to examine into the character of the country, with a view to its value to the United States should they purchase it. His second object was that of an agent for claimants of lands. In furtherance of the first object, he was furnished by the secretary of war with a passport requesting all the tribes of Indians, "whether in amity with the United States, or, as yet, not allied to them by treaties," to permit him to pass freely through their territories.‡ He was also furnished with secret instructions to induce those Indians who had come to Texas from the United States to return.*

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* See these letters in the "Extra Globe," July 21 and September 13, 1838. Also in John Quincy Adams's speech in the house of representatives, from June 16 to July 7, 1838.

† Letters of John A. Wharton and Leonard W. Groce, October 25, 1829. Wharton says: "I therefore request you once more to visit Texas. It is a fine field for enterprise. You can get a grant of land, and yet be surrounded by your friends; and what may not the 'coming on of time' bring about?"—"I am now on my way to Texas, in company with my brother and his lady, Major Boyd, and Mr. Groce."

‡ Passport, August 6, 1832.

Between Jonesborough and Nacogdoches, Houston found but two houses. After remaining a while at the latter place, he proceeded to San Felipe, with a view to meet Colonel Austin; but the latter was not at home. Houston, after partaking of a Christmas-dinner at San Felipe, set out for San Antonio, in company with Colonel James Bowie. Arriving there, he made the acquaintance of Beramendi, the vice-governor of the state, and father-in-law of Bowie; also that of Ruis, the Mexican commandant. Having stated his object, with their permission he held a consultation with the Camanche chiefs, and distributed to them medals. He then returned to Nacogdoches, by way of San Felipe, where he reported himself to Colonel Austin, and made his acquaintance.† At Nacogdoches, Houston was urged by the American residents to settle among them, which he partially promised, and shortly afterward concluded to do. On his return to Natchitoches, he reported to the president, and also to the commissioner for Indian affairs.‡

Notwithstanding the consultation with the Camanche chiefs was held in the presence of the Mexican officers at San Antonio, and through their interpreter, and they were distinctly informed that the object of the United States was to get them to meet commissioners at Cantonment Gibson to make a treaty of peace, yet a feeling of jealousy prevented the consummation of that desirable end. Although the authorities at San Antonio did not openly oppose it, they did not aid it, but, on the contrary, by their conduct and objections prevented it.‖

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* The Mexicans were complaining of these intrusions of the Indians. They were in violation of the thirty-third article of the treaty of friendship between the two countries. — *Exec. Doc., Senate, No.* 14, *32d Congress, 2d session*, p. 4.

† Letter to Guy M. Bryan, November 15, 1852.

‡ See Appendix No. 1.

‖ Houston to the Secretary of War, July 30, 1833.

The Indians along the Texan frontier were generally mischievous. In fact, there was scarcely a month that passed, but some murder or robbery was perpetrated by them. The year 1832 was not an exception. Hence it was some consolation to the Texans that, during that year, the different tribes had a good deal of fighting among themselves, especially a great battle between the Camanches and Shawnees, in which the former were badly defeated.*

According to the federal constitution of 1824, the legislatures of the several Mexican states were required, on the 1st day of September, 1832, to vote for president and vice-president of the republic. This, it appears, they did not do until the 29th of March, 1833.† Santa Anna was elected president without opposition. He took his seat on the 16th of May following, the most popular man, with the exception of the viceroy José Galvez, that had occupied the national palace. A hero of the revolution of 1821, the conqueror of the tyrant Iturbide, the friend of Victoria, the victor over Barradas in 1829, and the supposed unyielding friend of the republican constitution of 1824, he declared, in his inaugural address, that it had been the object of his life to secure to Mexicans the full enjoyment of their rights, and to break the triple yoke of ignorance, tyranny, and vice; that he would attend to the interests of education; and that his administration, like his own character, should be mild and tolerant. Such were his professions, and such the happy auspices under which he assumed the reins of power. In making these professions, he seems to have exhibited his contempt for the Mexican people, for he seized the first occasion to give the lie to all he had said!

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* In 1832, a party of five hundred Camanches came into San Antonio. At that time a party of Shawnees, twenty-five in number, were encamped in the hills, about thirty-five miles north of the town. A Camanche Indian attempted to carry off one of the Shawnee women, who was in the town. She fled to her people, gave them information of what had occurred, and they prepared an ambush for their enemies at a point where they expected them to encamp. The Camanches came as anticipated, and took off their packs. Just at this time the Shawnees opened a fire on them; and, though they rallied often, so deadly was the fire, and so secure the position of the attacking party, that the Camanches at last fled, leaving one hundred and seventy-five dead on the field! The discomfited party returned to San Antonio, and the Mexican authorities sent out a large force to assist them.—*Telegraph and Texas Register, August* 14, 1839.

† Mexican Constitution, Section 7, Article 79: Niles's History of Mexico, p. 204.

In the meantime, on the first of March, 1833, the people of Texas had renewed their election of delegates to the postponed convention to frame a constitution. The Mexicans did not participate in this election, because it had not been ordered by the political chiefs. The delegates assembled on the first of April following, at San Felipe. A body of more distinguished men had not met in Texas. Among them were Branch T. Archer, Stephen F. Austin, David G. Burnet, Sam Houston (one of the five delegates from Nacogdoches), J. B. Miller, and William H. Wharton. The latter was chosen president of the convention. The members entered upon their labors in earnest. The requisite committees were appointed: among them were the important committees on the constitution, and on a memorial to the supreme government of Mexico. Sam Houston was appointed chairman of the first and David G. Burnet of the second named committee. The constitution framed was a model of republicanism, with now and then an indication, however, that some clauses were inserted and some principles retained to please the Mexican ear. The right of trial by jury, the writ of *habeas corpus*, the right of petition, freedom of the press, direct and universal suffrage, and all those clauses usual in a bill of rights, were inserted. On the subject of religious liberty, however, they were silent.

A considerable debate was had on the subject of the *banking* clause. B. T. Archer was in favor of, and Sam Houston opposed to allowing them. The latter prevailed; and it was declared by the convention that no bank, or banking institution, or office of discount and deposite, or any other moneyed corporation or banking establishment, should ever exist under that constitution.*

The convention completed its labors, and adjourned on the 13th of April. The memorial to the supreme government was drawn up by David G. Burnet. It is an excellent document, and delineates with forcible elegance and correctness the unhappy position of Texas.† There were other matters claiming the attention of the convention. Unprincipled men, for the sake of gain, had been engaged in the piratical practice of importing negroes from Africa into Texas; and, though some of them had been arrested and hung by the British cruisers, the business still continued. Strong resolutions were offered and passed prohibiting this traffic.

It was necessary to select delegates to present to the supreme government the wants and wishes of the people of Texas. Stephen F. Austin, William H. Wharton, and J. B. Miller, were chosen for that purpose, the former by the largest vote. They were instructed to present to the central government, not only the application for a separate state organization, but also for the repeal of the odious decree of April 6, 1830, prohibiting natives of the United States from emigrating to Texas; also the enactment of a law establishing regular mails in Texas, the defence of the colonies against the Indians, and the regulation of the tariff.‡

For various causes, Austin was the only one of the commissioners that went to Mexico. He set out shortly after the adjournment of the convention, and reached the capital in time to see it the scene of confusion and intrigue. As his stay in Mexico was lengthy, and greatly prolonged by political events, it will be proper to refer to them in this place.

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* See the constitution of 1833, in Edward, p. 196.

† See Appendix No. 2.

‡ Victor Blanco to the Governor of Coahuila and Texas, October 6, 1834, MS.

On the first of June next following the installation of Santa Anna, General Duran *pronounced* in favor of the church and the army—that is, a *strong* government—at the same time nominating Santa Anna as dictator. It has been suggested that Santa Anna was at the bottom of this movement, though without any other evidence than that of his subsequent conduct. He sent out a strong force, under the command of Arista, for its suppression, accompanying the expedition in person. On the march, Arista himself declared for the plan of Duran, and secured the person of the president, at the same time proclaiming him dictator. This declaration was echoed back from the army in the city. But Gomez Farias, a civilian, and an honest supporter of the constitution of 1824—the vice-president, and acting as president in the absence of Santa Anna—suspecting that the latter had some hand in this matter, proceeded, with the aid of Lorenzo de Zavala, then governor of Mexico, to raise a force of republicans, and in a short time put down this attempt upon the constitution. Santa Anna appears to have remained a willing captive in the hands of Arista. It was only when he found that the movement was abortive, that he pretended to escape from his captors, and returned to the capital.* Arista was pardoned, and Duran banished. This little farce is an epitome of the life of Santa Anna, and co-ordinate with the Mexican mind.

Upon these new laurels Santa Anna retired to his estates, leaving the government in the hands of Farias and a republican Congress. The country was deeply in debt, the revenues were exhausted: the active means and resources of the nation had fallen into the possession of the clergy. To lighten the public burden, the army was reduced; and, to raise further means to meet the public wants, a part of the revenues of the church were appropriated. These admirable decrees of the Congress were duly approved by Farias. The church was thereupon aroused, and, uniting with those opposed to the federal form of government, poured in their petitions for the repeal of these laws. Santa Anna, while in his retirement, meditating on his ambitious projects, had determined in his mind to abandon the republican party, overturn the constitution, and establish an absolute government. His instruments to be used for the accomplishment of these ends were the church and the army—acting at once on the superstitions and fears of the people. Hence he gave countenance and encouragement to these petitions, and openly expressed his dislike for Farias and his administration.

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* Niles, p. 204; Kennedy, vol. ii., p. 24.

While Santa Anna was thus fanning the flame of a civil war, in which he expected to reap the principal harvest, Austin, the faithful representative of Texas, was endeavoring in vain to obtain the action of the government upon the matters by him laid before it. His petitions were referred to a committee of Congress, where they slept, while a revolutionary contest was raging in many parts of the republic, and especially about the capital.* To add to the confusion, the cholera broke out with great virulence, and in a few weeks carried off ten thousand of the inhabitants in the metropolis alone.† The epidemic had deranged the meetings of Congress; and so desponding were the hopes of Austin, that, in his letter of the 2d of October,

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* Austin's letters of the 14th of August and the 2d of October, 1833.

† It also extended to Texas, where it made fearful inroads among her scattered population. Among the victims were the gallant John Austin and Asa M. Edwards.

1833, to the municipality of Bexar, he recommended that all the municipalities of Texas should unite in organizing a state, under the provisions of the *Acta Constitutiva* of May 7, 1824, and, by union and harmony, prepare for a refusal of their application by the supreme government. He further advised them that, if they did not take matters into their own hands, Texas was ruined for ever. While this letter was on its way, Austin succeeded in procuring the repeal of the law of April 6, 1830, prohibiting natives of the United States from immigrating hither as colonists, and set out for home on the 10th of December, 1833. But his letter of the 2d of October was transmitted by the municipality of Bexar to Vice-President Farias, who, finding in it what he believed to be treasonable matter, despatched an express for Austin, had him arrested at Saltillo, and taken back to Mexico and imprisoned.

Farias, though in principle a republican, was not accustomed to the freedom of speech natural to the Texans. In the October previous, Austin had told him very plainly that the Texans had determined, if the federal government did not remedy the evils which threatened them, "to remedy them themselves, without waiting any longer—on the ground that self-preservation rendered such a step necessary, and would justify it." Farias construed this into a threat and personal insult; and, though he had become partially reconciled to Austin before he departed on the 10th of December, the letter to the corporation of Bexar renewed and increased his exasperation.*

Austin was shut up in prison on the 13th of February, 1834, where he remained in close confinement for three months, excluded from the use of books or writing-materials, or even the light of day.

We will now turn our attention to the state legislature and its proceedings. This body, having met on the first of January, 1833, reaffirmed its recognition of Pedraza as president of the republic; at the same time it declared that the state would not support any agreement (*convenio*) tending directly or indirectly to attack the federal form of government and the state sovereignty. It further declared that it recognised as the wil of the nation only what was approved by a majority of the legislatures.[*] It shortly after proceeded to attack the right of petition, and declared that any person or corporation, who assumed the voice of the people by making any petition, usurped the rights of society, and excited disorder. More than three persons were forbidden to join in a petition! The entire law is an attack upon the liberties of freemen:[†] but we must see and know the people of Coahuila before we pronounce too strongly against the legislature.

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* Austin's letter of August 25, 1834.

On the 9th of March following, the legislature carried into effect its previously-expressed determination to remove the seat of government to Monclova, and ordered the state officers to appear at the latter place by the first of April. This exasperated the people of Saltillo, and they were found ready to join any party that might rise in opposition to the legislature. This feeling was increased, on the meeting of that body, by the enactment of a decree disbanding the civic force of thirty men at Saltillo which had been supported by the state.[‡]

Among other things, the legislative body repealed the law of the 9th of April, 1832, prohibiting persons not born in the republic of Mexico from retailing goods in the state.[‖] This law had given just cause of offence to the people of Texas, and its repeal was due to their growing influence. To this influence may likewise be assigned the law granting to Madero (a favorite with the Texans) the exclusive right to navigate the Trinity.*

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[*] Decrees Nos. 205 and 206.

[†] Ib., No. 212: March 1, 1833.

[‡] Ib., Nos. 214 and 216.

[‖] Ib., No. 217.

During the latter part of the year 1833 began the settlement of the colony of Beales and Grant. They had obtained a concession for eight hundred families, to be located between the Rio Grande and the Neuces. In the last days of December, about sixty colonists, under Mr. Beales, reached the new settlement, and laid off the town of Dolores, on Las Moras, a small stream about ten feet wide and two feet deep. They remained there about a year, when they dispersed. They were Europeans, and but poorly qualified for such an enterprise. Kennedy—himself an Englishman—speaking of the failure of this colony, says it supplied "further evidence of the superiority of the Anglo-Americans in forming colonies. The North Americans are the only people who, in defiance of all obstacles, have struck the roots of civilization deep in the soil of Texas. Even as I trace these lines, I reflect upon their progress with renewed wonder and admiration. They are indeed the organized conquerors of the wild, uniting in themselves the threefold attributes of husbandmen, lawgivers, and soldiers."†

The year 1834 was occupied in Mexico in changing the form of government from that of a republican confederation of states to a purely national government, controlled by a single man, without any other restraint than he might choose to place upon his own actions. Farias met the complaints and petitions of the clergy and the monarchists by banishment and the prison. Santa Anna, who had been watching the progress of things, now discovered that the combined influence of the clergy, the army, and the monarchists, would be sufficient to answer his purpose. He accordingly came out from his retreat, and resumed his seat as president of the nation. It was very soon ascertained that the Congress would not repeal the obnoxious laws lately enacted; and that body, in consequence, became very odious to the centralists. By the constitution of the republic, Congress was required to close its sessions annually on the 15th day of April, with liberty to continue its sittings thirty days longer (Sundays and solemn festivals excepted), should they deem it necessary, or if the president should require it.* At the close of its regular session in 1834, Congress declared it necessary to sit thirty days longer. This period would expire on the 14th of May following. It appears that, on the day preceding, Santa Anna notified the members that, if they did not disperse, he would use a military force to turn them out of their hall. The Congress adjourned on the 14th, declaring that its rights had been invaded by Santa Anna. The latter, however, immediately appealed, by a proclamation, to the people, setting forth the alleged tyranny of the vice-president Farias and the majority of the Congress.†

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* Decree No. 218.

† Kennedy, vol. ii., p. 57.

The popularity of Santa Anna gave weight to his address; and the consequence was a *pronunciamento* and *plan*, drawn up at Cuernavaca, on the 25th of May. It proposed—first, that the late laws against the church, and those for the banishment of the monarchists, who had taken an active part against the federalists, should be declared void; second, that the Congress should be dismissed, and another convened with power to form a new constitution; and, third, that Santa Anna should be sustained in carrying into execution the views he had published. This plan was almost universally adopted; but, as it required some time to go through a decent formality, and to elect a new Congress, we will return to other events.

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* Mexican Constitution, Section 7, Article 71.

† Democratic Review, April, 1838, p. 110; Edward, p. 218.

The legislature of Coahuila and Texas met on the first of January, 1834; and, in default of the governor and vice-governor, Councillor Francisco Vidaurri y Villaseñor was duly invested with the executive functions.* The influence of Texas was much felt in this body, and the presence of Thomas J. Chambers at Monclova added greatly to that influence. The new municipalities of Matagorda and San Augustine were created at this session;† Texas was divided into three departments, and it was provided that both the Spanish and English languages should be used in public affairs; an additional representative in the legislature was also allowed her,‡ thus giving to Texas three out of eight in that body. Acting in the spirit of Gomez Farias, the legislature did what they could to restrain the privileges of the clergy: it prohibited the founding of edifices by charitable donations; also debarring any one from disposing of more than one fiftieth of his estate for the benefit of his soul; likewise forbidding the ecclesiastical authority from intervening in civil affairs, and the bishops from making the testament visit (*visita testamentos*).‖ It may be proper to state here that the *political chiefs*, of which Texas was to have three, were selected in the following manner: the *ayuntamientos* of each department named three persons to the council of state; if that body approved of them, it nominated them to the governor, out of which he selected and appointed one as political chief for the department. He held his office for four years, and received a salary of eight hundred dollars per annum.§

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* Decree of January 8, 1834.

† Decree of March 6, 1834. San Patricio and Mina were established subsequently at the same session.

‡ Decree of March 18, 1834. The new department of Texas was that of *Brasos*, having its capital at San Felipe.

‖ Decree No. 263.

§ Article 147, Constitution of the State of Coahuila and Texas: Decree No. 270.

Another decree, passed at this session of the legislature, for the sale at auction of vacant lands, is important for other matters embraced in it.* Its provisions exhibit considerable liberality. The lands were to be surveyed into *labors* (one hundred and seventy-seven acres each), and sold for not less than ten dollars each, the purchaser paying down one third in cash, and the balance in one and two years. Foreigners were likewise allowed to purchase; and, what had not before been permitted, they were allowed a year in which to bring their families to Texas. But the most important article provided that "no person should be molested for political and religious opinions, provided the public order was not disturbed."

This law for the sale of lands was in a few weeks dispensed with, to make way for more gigantic projects. The Mexican members of the legislature, who themselves set no value upon wild lands, had discovered that the Texans did. As the former loved money, and the latter real estate, an arrangement of interests was mutually effected. At this time the memorial sent by Austin, for a separation of Texas from Coahuila, was still pending before the federal government, and the issue was uncertain. The state legislature, fearful of losing the rich lands of Texas without consideration, was disposed to make the most of them while it had the power.† Many complaints had been made of the depredations committed by the Indians on the Texan frontier. A proposition was therefore made to provide a body of rangers,‡ and to pay them *in lands*, for which purpose four hundred leagues were to be set apart. The proposition passed into a decree; but, in its engrossment, a fraudulent alteration was made, by which the executive was authorized to *sell* the lands.* Accordingly, the lands were sold, and the settlers on the frontier left to battle with the Indians as they had done before.†

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* Decree No. 272, March 26, 1834.

† Thomas J. Chambers's Pamphlet, 1837.

‡ Decree No. 278, April 19, 1834.

The great necessity for a well-organized judiciary, and the numerous complaints of the Texans on that subject, induced the passing of a decree on the 17th of April, 1834, making Texas a judicial circuit, dividing it into three districts, and prescribing the mode of procedure. The most important feature in this law was the provision establishing *trial by jury*. In other respects it was as much assimilated to the rules of common-law courts as Mexican prejudices would permit. Thomas J. Chambers was appointed judge of the circuit; but, after making efforts to organize the courts in the several districts, such was the confusion incident to the approaching revolution, that the law became useless.

The legislature closed its session on the last of April, leaving the government of the state in the hands of Villaseñor, the acting governor, and the council and standing deputation.

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* In General Chambers's own words: "The article of the decree relating to the subject required, in the first place, that the executive should call out a sufficient number of the militia to repress the audacity of the savages, and then provided that the troops should be paid, or rewarded, with vacant land, in the following terms: '*Y para pagar ó premiar á los milicianos podra hechar mano de las tierras valdias hasta in cantidad de cuatro cientos sitios*, REPARTIENDOSELOS *bajo las reglas y condiciones que establesca*.' These were the terms in which it received the sanction of Congress, and, if it had remained thus expressed, the executive could never have sold the land to speculators. For *repartiendoselos* is a compound word, composed of the participle of the verb *repartir* (to divide among), and the two pronouns *se* and *los*, one of which refers to the land and the other to the troops; making it obligatory upon the executive *to divide the land among the troops*. But the ingenious member caused the pronoun *se*, referring to the troops, to be omitted in engrossing the decree; and it received the sanction of the executive, and was published as a law, with the compound word changed into *repartiendolos*, leaving the executive free to dispose of the four hundred leagues of land, by dividing them out, without determining among whom."—*Pamphlet*, 1837.

† Abstract of Land-Titles, p. 175.

These functionaries, on receiving intelligence of the plan of Cuernavaca, assembled on the 24th of June, and declared that the state would not permit the exalted name of religion to be invoked within her limits, under any such pretence; that the executive should take measures to banish from the state such as endeavored to do so; and that he should not permit the troops of the standing army to be introduced into the state under any pretence.*

On the same day, an extra session of the legislature was convoked to meet on the 11th of August, to take measures for the safety of the federal system of government, and for the regulation of the public treasury, which was exhausted. The acting governor was also authorized to levy and organize such number of the civic militia as he might deem necessary for the defence of that system.† In a short time, however, the will of the nation having expressed itself so fully in favor of Santa Anna and his strong government, the executive of the state and his council withdrew their opposition, and declared for the dictator.‡

Four days previous to this, however (July 19), the town of Saltillo issued its *pronunciamento* against the government of the state, and established a government of its own, appointing the licentiate *José Maria Goribar* as governor. At the same time it declared all the acts of the state congress and government, since the first of January, 1833, to be a nullity! ||

Thus a civil war was about to commence in the state. The respective parties flew to arms. The call for an extra session of the legislature was not obeyed. To add to the confusion, a meeting, composed of the ayuntamiento of Monclova, three

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* Laws of Coahuila and Texas, p. 278.

† Decree of June 26, 1834.

‡ Ib., July 23, 1834.

|| Sketch of General T. J. Chambers, p. 32, *et seq.*

members of the legislature, and two of the council, was held on the 30th of August, at which the constitutional governor was deposed, and Colonel Juan José Elguezabal appointed in his stead.* On the next day, Elguezabal issued his proclamation, declaring that he had "taken the administration by the free suffrage of the representatives of the people;" and that the state recognised Santa Anna as president, and would conform to whatever a majority of the national Congress, with his approval, would do. He then advised the two parties of Saltillo and Monclova to make peace.† The warlike preparations of these rival factions, however, continued. It was only after some skirmishing, and the speedy prospect of bloodshed, that the acting governor, on the part of Monclova, and Vicente Campos and Ignacio de Arispé, on the part of Saltillo, met at the former town, on the 6th of November, 1834, and at midnight made a treaty of peace. The terms of the agreement were, that the question of difference between them should be referred to Santa Anna; that, in the meantime, all prisoners and property taken should be restored, the troops disbanded and sent home, and everything placed in the position it occupied before the difficulty occurred.‡

The Texans were not a party to these disgraceful scenes. They beheld with astonishment two petty aspirants claiming to be governor of the state in which they lived, neither one having the least color of a claim to the office! But they were not indifferent. The pending confusion had prevented the constitutional recurrence of the elections; the government under the constitution was in fact destroyed. Under these circumstances, José Antonio Vasquez and Oliver Jones, the Texan representatives to the state legislature, and Thomas J. Chambers, superior judge of Texas, in a short address, dated at Monclova, on the 1st of September, 1834,* presented to the people of Texas the unhappy condition of their affairs, and proposed a congress, to meet at Bexar, on the 15th of November following, to take into consideration the political situation of their own department of the state, and, if necessary, to form a provisional government. The adoption of this measure, it is believed, was prevented by the uncertainty of their affairs in the Mexican capital. Santa Anna, after his resumption of the reins of power, on the 13th of May, 1834, released Austin from the dungeon of the Inquisition, in which he had been confined, but kept him in confinement elsewhere until the 12th of June, when the military tribunal, to whom his case had been referred, decided that they had no jurisdiction over it. It was then referred to a civil tribunal, which also disclaimed jurisdiction; a like decision was made by the judge of the federal district of Mexico, to whom the case was referred. The matter was then submitted to the supreme court of the nation, that they might declare what court had jurisdiction. This body never made the decision, nor was Austin ever tried; neither can it be for a moment supposed that he was made to run the round of these courts for any other reason than to gain time, and hold him as a sort of hostage for the good behavior of Texas. His letter of the 25th of August following, and the flattering attention of Santa Anna, show this fact conclusively.† But, after the reference of the affair of Monclova and Saltillo to the decision of the president, and a temporary calm was experienced in the state of Coahuila and Texas, Santa Anna found it to be good policy to enter seriously into the discussion of the petitions with which Austin had been charged by the Texan convention of 1833, and to decide upon them. Accordingly, on the 5th of October, 1834, the president convoked a meeting, composed of his four secretaries of state, the three representatives from Coahuila and Texas, three of his confidential generals, Lorenzo de Zavala, and Stephen F. Austin. The session was opened at eleven o'clock in the morning. The president having stated the topics to which the discussion was limited, Austin laid before the meeting the object of his mission, and the grounds of his petition. After a discussion which lasted three hours, embracing every head of the question, and in which several of the members participated, Austin urged lastly the separation of Texas from Coahuila, and its formation into an independent state. This was opposed by the representatives of the state in the national Congress, and particularly by Victor Blanco, who spoke last on the subject. Santa Anna then resolved—

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* Decree of August 30, 1834. This decree is not published in Carbajal's collection. The fifth article of the decree softens the facts considerably. The governor is said to be deposed "because of his infirmities."

† Dated August 31, 1834. MS.

‡ MS.

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* Sketch of Thomas J. Chambers, p. 31.

† Edward, p. 210.

1. That he would meditate maturely the decree repealing the 11th article of the law of the 6th of April, 1830, and, if no objections were presented, would give it his sanction.

2. That a corps, composed of cavalry, infantry, and artillery, four thousand strong, should be stationed at Bexar, for the protection of the *coast* and frontier of the country, to be under the command of General Mexia.

3. That proper steps should be taken to have regular mails, and to remove all obstacles to the agricultural and other industry of the inhabitants, "who are viewed with the greatest regard."

4. That Texas must necessarily remain united with Coahuila, because it had not the elements warranting a separation, nor would it be convenient. And, though it might be allowed to form a territory, if the inhabitants called for it, yet the dis-

membering of a state was unknown to the Mexican laws, and he would be at a loss how to proceed.[*]

Thus was decided all the matters embraced in Austin's mission. Still he was detained in Mexico. His continued absence necessarily produced much feeling in Texas. This, added to the chaotic proceedings in the state and federal governments, not only excited but exasperated the colonists against Mexico, and everything that pertained to her.

The reference of the dispute between Saltillo and Monclova to Santa Anna was accepted, and a solution given. It was as follows: —

1. The seat of government should remain at Monclova.

2. Alguezabal to continue to act as governor until a new election.

3. A new election for governor, vice-governor, and members of the legislature, to be ordered for the entire state.[†]

This arrangement referred the matter to the people; and, although there was no law for the election, it was satisfactory. The decision was made on the 2d of December, 1834; and Austin hastened to communicate the fact, in a letter of that date,[‡] advising the people of Texas to sustain this adjustment of their difficulties by the president. "All is changed," said he, "since October of last year. *Then* there was no local government in Texas; *now* there is, and the most of your evils have been remedied, so that it is *now* important to promote *union* with all the state, and keep down all kind of excitement. All is going well. The president, General Santa Anna, has solemnly and publicly declared that he will sustain the *federal*

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[*] Victor Blanco to the Governor of Coahuila and Texas, October 6, 1834.

[†] The time for the election, under the constitution, was the previous September. Texas had elected Messrs. Austin, Jones, and Vasquez; but the civil war in Coahuila had prevented the elections there.

[‡] Austin to Messrs. Durst and Thorn, MS.

representative system, as it now exists, and he will be sustained by all parties."

In the spring of 1834, Colonel Juan N. Almonté, who, after his return to Mexico, had become distinguished, was sent by Santa Anna to visit Texas, and report upon its condition, physical and moral. He devoted some months to this business, spending most of his time with his old friend, and the friend of his father, Colonel Ellis P. Bean.* On his return, he published so much of his report as was deemed expedient. In that report, he attributes the rapid advance of the Texans to their industry, and the absence of that civil strife so common in Mexico. He estimated the population at twenty-one thousand souls,† though there were doubtless at that time thirty thousand. He computed the number of negroes at only eleven hundred, when they were undoubtedly three times that number. The trade of the three chieftaincies of Texas was estimated as follows: Brasos, six hundred thousand dollars, mostly in cotton; the imports about three hundred and twenty-five thousand dollars: Nacogdoches, four hundred and seventy thousand dollars in cotton, skins, grain, and cattle; the imports about two hundred and sixty-five thousand dollars: Bexar, only eight or ten thousand skins of exports, and a few articles imported from New Orleans—thus making the total foreign trade of Texas, in 1834, about one million, six hundred and eighty thousand dollars.

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* After the Fredonian war, Colonel Bean ceased to be actively engaged in public affairs. He continued to hold his appointment as a colonel in the Mexican service, and was Indian agent. During the troubles of 1832, he was stationed with a detachment of troops at Fort Teran. His command was ordered to Nacogdoches by Piedras, and were taken prisoners by the Texans. Bean, not wishing to lose his commission, did not take part in that contest.

† Population of Texas in 1834, by municipalities: Bexar, 2,400; San Patricio, 600; Matagorda, 1,400; Nacogdoches, 3,500; Jonesborough, 2,000; Goliad, 700; San Felipe, 2,500; Gonzales, 900; San Augustine, 2,500; Victoria, 300; Columbia, 2,100; Mina, 1,100; Liberty, 1,000. Total population, according to Almonté, 21,000.

On the return of Colonel Almonté to Mexico, in the autumn of the foregoing year, it was proposed that he should again proceed to Texas, in the capacity of *colonial director*, and aid in introducing a larger number of Mexicans into that department; but the subsequent troubles prevented, and he did not return till he came with the army in 1836.

It was during the year 1834 that an attempt was made by the Creek Indians to obtain a settlement in Texas. Through some influence, the chiefs Apothtayoha and Ben Hawkins came to Nacogdoches, and entered into an agreement to procure the lands lying north of that town, which were then under the control of a New York company. A part of the purchase-money was advanced by the Indians, and further steps were taken to complete the title. In the meantime, the report of this project having gone abroad, and been made public by the newspapers, aroused the American settlers, and also the Cherokees. Colonel Bean, the Indian agent, was consulted; and in a short time the public mind became so exasperated, that the matter was abandoned. Hawkins was killed by the Cherokees.*

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* "September 15, 1835: F. Thorn, president; T. J. Rusk, secretary. *Resolved*, That General Houston be appointed to take such steps as he may deem necessary in attempting to arrest the progress of one Benjamin Hawkins, who, we have every reason to believe, is attempting to introduce a large body of Indians from the United States into Texas."—*Proceedings of Vigilance Committee, Nacogdoches.*

CHAPTER XXI.

The first strictly revolutionary meeting in Texas was held at Bexar, on the 13th of October, 1834, in pursuance of the recommendation of the representatives and superior judge of the department. At this assembly, on motion of Erasmo Seguin, the call for a convention, to meet at Bexar, on the 15th of November following, was approved. The proceedings were sent to the other municipalities; but, as previously stated, the movement did not succeed. A meeting followed on the 20th of October, at San Felipe, under the auspices of the political chief of Brasos, which went further than was at first recommended, by proposing a perpetual dissolution of the connection between Coahuila and Texas. But it appears that the convention of April, 1833, previous to its adjournment, had appointed a grand central committee to look after the public interests. This committee, considering that the movement was premature —that Austin was still in confinement, and his safety jeoparded by such action—and following his advice, as transmitted from Mexico—replied to these proceedings, and recommended acquiescence for the present.*

The Mexican national Congress met on the first of January, 1835, in pursuance of the plan of Cuernavaca. The centralists had triumphed everywhere, except in the two states of Zacatecas and Coahuila and Texas. Zacatecas resolved that she would adhere to the constitution of 1824, and so instructed her representatives. Among the first acts of Congress was the banishment of Gomez Farias, the vice-president, who, though a rough believer, was at the head of republicanism in Mexico. Another act was to declare Zacatecas in a state of rebellion; and yet another, reducing the number of the militia to one soldier for each five hundred inhabitants, and *disarming* the remainder. This arbitrary decree was a sufficient justification of Texas for her subsequent acts.[*] Every one who knows the Texans, or who had heard of them, would naturally conclude that they never would submit to be disarmed. Any government that would attempt to disarm its people is despotic; and any people that would submit to it deserve to be slaves!

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* See the arguments of each party in Edward, p. 220, *et seq.*; Kennedy, vol. ii, p. 64.

In the meantime, in pursuance of the award of Santa Anna, the state of Coahuila and Texas proceeded to hold elections for governor, vice-governor, and members of the legislature. Augustin Viesca was elected governor, and Ramon Musquiz vice-governor.[†] They were both republicans; the legislature was of the same political character. It may be stated in advance, that, however patriotic these gentlemen assumed to be, they were men of easy virtue; and, in escaping from under the ruins of a falling government, they managed to carry off more plunder than belonged to them. The first evidence of legislative corruption appeared in a decree, passed on the 14th of March, 1835, authorizing the governor to sell four hundred leagues of land, without being subject to the provisions of the general colonization law of 1825. The lands were shortly disposed of to speculators; but the law itself was abrogated by the general Congress on the 25th of April following.* The town of Saltillo, devoted to Santa Anna, and ever ready, since the removal of the seat of government from that place, to take advantage of any errors committed at Monclova, seized this occasion to revolt. Her deputies retired from the legislature, leaving their protest. On their return home, the people of Saltillo *pronounced*. General Martin Perfecto de Cos, commandant-general of the eastern states, gave them aid and countenance, by a letter to Governor Viesca, supporting their views: and not only this, but he set out, with a body of troops, for the capital of the state, to enforce the points laid down in his letter! †

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[*] Democratic Review, April, 1838; Kennedy, vol. ii., p. 82.

[†] Decree No. 294. Governor Elguezabal sent in his resignation at the opening of the session; and, as the votes for governor had not yet been returned, José Mª Cantu was invested with the executive power for the time being.

The legislature, being informed of these facts, passed a decree, dated the 7th of April, authorizing the governor to raise such force as he might deem necessary to secure the public tranquillity, and to protect the civil authorities in the exercise of their functions. That body further declared that no portion of the standing army should be stationed in the capital, except by the express orders of the president of the nation.

At the time Santa Anna determined against the admission of Texas as a *state*, he held out some hope that he would organize it into a *territory*. The Texans did not desire this, any more than their union with Coahuila. However, the idea had become general in the state; and Governor Viesca, on taking his seat, published an address, advising union between all sections: and in a note appended to the address it was stated that Santa Anna wished to reduce Texas to the condition of a territory—"to separate her from Coahuila, in order that the people might be considered as foreigners." This address was dated on the 15th of April, 1835—for Viesca did not in fact assume the executive functions until that day; but Austin, writing from Mexico, under date of the 15th of March, said: "The territorial question is dead. The advocates of that measure are now strongly in favor of a state government; and that measure is now before Congress. A call has been made upon the president for information on the subject; and I am assured the president will make his communication in a few days, and that it will be decidedly in favor of *Texas and the state*."*

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* Laws and Decrees, p. 301.

† Ib., p. 284.

Thus was Santa Anna temporizing with Texas, through Austin, until he could get the country occupied with his troops. Coahuila, at the same time, was courting her regards, and urging her to remain as part of the state, while she was heartily tired of them both.

The state government, finding that the transfer of so large a body of the public lands of Texas into the hands of speculators had produced quite an excitement in the mind of the general community, undertook an apology, which was published in "*La Gaceta del Gobierno Supremo del Estado*" of the 1st of April. Therein it was stated that, by the defection of Saltillo, the treasury of the state was exhausted, and that the government must have means. Still, this hardly justified the private sale of four hundred leagues of excellent lands at less than two cents per acre! But much was promised to Texas.

"For the satisfaction of the people of Texas," says '*La Gaceta*,' "and the friends of freedom generally, we will state that bills are now presented to the legislature, and others will soon be presented, which will greatly promote the advancement and prosperity of that fair portion of our country—such as the regulation of the colonization system upon a liberal and practicable basis; the regulation and termination of Indian claims and Indian wars; the appropriation of sufficient sums of money out of the proceeds of public lands to establish in Texas a state college and good rudimental schools; the settlement of all the loose families in Texas; the decision of all land claims and disputes; and to put an end to many abuses practised upon the people, and ultimately many other projects highly favorable to the state in general, and to Texas in particular."

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* Edward, p. 241.

Thus were the hopes of the Texans flattered, while they were robbed of their fair domain; and thus did this legislature render itself worthy to be driven from its halls by the minions of Santa Anna. The federal Congress had under consideration a decree of conciliation and amnesty. It proposed only to extend the act of oblivion to a time limited, and to include none but natives of Mexico. The state legislature very properly recommended that the provisions of the amnesty should be enlarged, so as to cover the entire past, and also include naturalized foreigners.* This suggestion, had it been adopted, might have postponed the impending political crisis somewhat longer: for Texas, composed almost entirely of foreigners, would not otherwise obtain any benefit from the decree. The legislature, forgetting awhile its selfish ends, and being witness to the scandalous and bloody scenes enacting in the city of Mexico, declared, in an address to the federal Congress, that notwithstanding *plans* were formed, and *pronunciamentos*, accompanied by appeals to arms, constantly occurred, and the principles of the constitution and the rights of the people were as constantly proclaimed, yet, unfortunately, action had never corresponded with declaration; but that, on the contrary, distrust, discord, and a disposition to persecution and revenge, constituted their settled course of procedure. That body further declared that it represented a people who were proud of having always sustained the constitution of 1824, and that they would firmly continue to sustain it. It warned the federal Congress that "reforms," at all times and in all places dangerous, would then be still more so in Coahuila and Texas; that it was bordering on a flourishing sister-republic, and was settled by thousands of inhabitants with whom the changes contemplated would not agree, as they could not conform to them;* and that such changes would *highly compromit*, not only the internal peace of the country, but the very integrity of the nation.

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* Decree of April 8, 1835.

Santa Anna and his pliant Congress disregarded these prophetic warnings. That body, after declaring its own almost unlimited powers, proceeded gradually in its work of destroying what little of republican liberty yet remained in the Mexican confederacy. In April, the president-dictator set out, at the head of three thousand four hundred troops, to chastise the people of Zacatecas; and, about the same time, he ordered his brother-in-law, General Cos, then stationed at Matamoras, to proceed, at the head of a suitable force, to disperse the legislature at Monclova.

Don Francisco Garcia, governor of Zacatecas, had assembled, on the plains of Guadalupe, not far from the city, a force of five thousand men, with several pieces of artillery. On the 10th of May, Santa Anna approached with his army, and sent a demand to the governor to surrender. The latter refused with spirit. On the next morning, at five o'clock, the battle commenced, and, after a bloody engagement of two hours, the Zacatecans were entirely routed. Two thousand of them were killed, and twenty-seven hundred more were made prisoners. All their arms and ammunition fell into the hands of the victors. Santa Anna, with his troops—of whom, according to his own bulletins, he had scarcely lost a hundred in the battle —marched into the capital of the state, where for two days they were engaged in the butchery of the unfortunate inhabitants and the plunder of their city! Zacatecas was one of the wealthiest mining-districts in Mexico. It had likewise been one of the earliest and most constant friends of the national revolution, in which it had suffered greatly. The spirit of liberty had taken deep root in the state; but this great blow had utterly prostrated her, and submission to the dictator was the only alternative.* The intelligence of this disaster produced a painful sensation in Texas.

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* Laws and Decrees, p. 288.

Meantime, General Cos with his force was slowly approaching the capital of the state of Coahuila and Texas. The legislature prepared to meet this invasion of its rights, not by force of arms, but by the enactment of laws for extending land-titles. It found time, during its last days, to create a bank, to be organized, under the auspices of an *empresario*, in Texas.† Governor Viesca called out the militia, to defend the legislature; but the public mind of the state, especially in Texas, was so thoroughly convinced of the selfishness and corruption of that body, that the stirring appeals of his excellency could not arouse them. They declared that it was too much to risk their blood to sustain those who had wantonly squandered their lands.‡ The legislature, therefore, after passing a decree authorizing the provisional location of the seat of government at such point as the governor might select, hastily adjourned.‖ Thus closed for ever, on the 21st day of April,

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* First official account of the battle, May 11, 1835; Niles's Mexico, p. 207.

† Decree, No. 308.

‡ Kennedy, vol. ii., p. 89.

‖ Decree No. 325. The legislature of Coahuila and Texas granted to José M. Carbajal a license to publish in the Spanish and English languages the laws and decrees of the state (Decree No. 319). Through Colonel Carbajal, a copy was procured by the government of Texas, translated by Dr. Kimball, and published in both languages in 1839.

1835, the legislature of Coahuila and Texas. It fell by the hands of a tyrant, but unpitied by the people.

The governor, having selected Bexar as the future temporary capital of the state, collected the archives, and set out on his journey thither, with an escort of one hundred and fifty of the militia, and some few Texans. After proceeding as far as Hermanos, he returned to Monclova, with a view to surrender and make terms with Santa Anna; but subsequently, apprehending that he would be safer in Texas, he set out on his way to that department, in company with Colonel Milam and John Cameron. The party were, however, captured in the mountains by the forces under Cos, and started to Vera Cruz. Milam escaped at Monterey, and the others at Saltillo, and finally all reached Texas. Such of the legislators as did not escape were imprisoned and banished. The federal Congress afterward deposed the state authorities, and annulled all the decrees of the late session.*

We will return to the occurrences in Texas. The people of that department were now without a government; and it devolved on them, either to establish a system of their own, or submit to the will of Santa Anna. From their character, the latter could not be expected. The national decree, dissolving the civic militia, exposed the country to the constant depredations of the Indians, who had already become very troublesome and dangerous. As an instance of this, early in 1835, an Italian and several Mexicans, engaged in transporting goods, were attacked in the morning by about seventy Indians, on the road, fifteen miles west of Gonzales. The merchants, forming a breastwork of their goods, continued the fight till evening. But gradually their numbers were thinned by the fire of their adversaries, till they were no longer able to defend their position. An assault was then made on the survivors by the savages, and every one was butchered and scalped.* Such a scene, on the great thoroughfare of the country, was sufficient to prove the necessity of an organized militia, and that militia well armed.

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* Kennedy, vol. ii., p. 90.

The first step toward an independent organization in Texas was through *committees of safety*. The first committee of safety was appointed at Mina (now Bastrop), on the 17th day of May, 1835. It was chosen, not in reference to a rupture with Mexico, but in consequence of repeated outrages committed by the Indians. The people assembled on that day, to make some arrangement for their protection.† Samuel Wolfenbarger was called to the chair, and J. W. Bunton appointed secretary. A previous meeting of the ayuntamiento and a few citizens had convened on the 8th of the month, and nominated D. C. Barrett, John M'Gehee, and B. Manlove, as a committee of safety. The meeting of the 17th confirmed it, and added to it the names of Samuel Wolfenbarger and Edward Burleson. This example was soon followed by all the municipalities; so that in a short time they were found in the active discharge of their functions, laboring with a zeal and constancy worthy of the noble cause in which they were engaged.

Early in 1835, Captain Tenorio, with twenty Mexican troops, was stationed at Anahuac, to guard and protect the port of Galveston. Some of the Texans, headed by William B. Travis, determined that taxes should not thus be collected from them to support a standing army in their own country, attacked and drove them off. They retired to San Felipe, where they were hospitably received, and assisted on their way to Bexar.

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* Indianola Bulletin, 1853.

† Proceedings of the Committee of Mina, MS. I am indebted to B. C. Franklin, Esq., for this, as well as some other valuable papers, emanating from that municipality.

Santa Anna, having deposed the governor of the state, filled the office by the appointment of Don Miguel Falcon, a creature of his own; but Falcon shortly afterward proving impracticable, he removed him, and invested the commandant-general Cos with the civil as well as the military power. This, added to the rumored approach of a standing army, increased the public alarm. Colonel Ugartachea, the Mexican commandant, was stationed at Bexar. He was a man of courage, and of many amiable qualities; in fact, he was personally popular with the Texans. He saw the approaching storm, and did what he could to avert it; but he was a soldier, and acted under orders. Cos was a different man; yet he was capable of as much hypocrisy as he deemed necessary to conceal his designs and ensnare the Texan patriots. He did not, however, deceive them long. He sent them a circular, dated the 12th of June, 1835, full of the paternal views of the national government. At the same time he despatched a message to the commandant at Anahuac, informing him that the two companies of New Leon and the battalion of Morales would sail immediately for Texas; and that they would be followed by another strong force, which he had solicited the government to send. With this despatch also went another, from Ugartachea, giving the information that the force which had conquered Zacatecas, and which was then at Saltillo, had likewise been ordered to Texas, and would soon regulate matters! The courier bearing these documents was arrested by a party at San Felipe, and the papers opened and read.*

The intelligence thus received served only to increase the public excitement. There were two parties in San Felipe, and, in fact, throughout Texas. The war-party, on receipt of the news of the flight of Governor Viesca, and his subsequent arrest, held a meeting, and resolved to rescue the governor, and drive the Mexican troops from San Antonio. Notwithstanding this, the peace-party did not co-operate, but urged the bad faith of the governor and legislature as a reason why they should not interpose in their behalf. "But," rejoined the war-party, "the sale of the four hundred leagues of land has nothing to do with the subject. You are justly indignant at that sale—so also are we; but that can and ought to have no weight with the public mind at this time. It is too inconsiderable to be noticed when compared to the importance of our country, our property, our liberty, and our lives, which are all involved in the present contest between the states and the military."* Thus, while the peace-party were engaged in making apologies, and in soothing Cos and Ugartachea, the war-party were publishing flaming documents, full of the wrongs of Texas, and of her threatened ruin.

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* Address of R. M. Williamson, chairman of the meeting of San Felipe, of June 22, 1835. Letter of J. B. Miller, political chief of Brasos, to General Martin Prefecto de Cos, July 1, 1835.

The meeting of the war-party, on the 22d of June, was followed by an address from the chairman, R. M. Williamson, which produced a powerful effect on the public mind. As Ramon Musquiz, the vice-governor, was in Bexar, and was willing to act as governor if the colonists would sustain him, it was proposed to take that place, install him in the executive office, and have him appoint commissioners to extend to the colonists the titles to their lands. The legislature, before its flight, had authorized such appointments, but the governor was arrested before he could make them.

These views were supported by several of the municipalities, but others rejected them. The ayuntamiento of Liberty, on the 1st of June, issued an address, denouncing the conduct of the party that had expelled the troops from Anahuac, declared them a mob, and threatened to punish all such offenders against the laws of Mexico.* John A. Williams, a considerable personage in the jurisdiction of Liberty, published a circular, denouncing the meeting at San Felipe of the 22d of June.† "We are told," says he, "much about extravagant reforms, dangerous innovations, and extraordinary prerogatives assumed by the general Congress, yet not one word is said about the public fraud committed by the governor and legislature in the illegal sale of four hundred leagues of land to their favorite speculators. . . . . I fear," he continues, "the people are now ready to plunge headlong into the yawning jaws of a hopeless civil war. It seems to me that I never heard of an attack so daring, so ungrateful and unprovoked, as that held forth by the people of San Felipe. To capture and occupy San Antonio, to make treaties with the Indians, to send forces and rescue the governor, to protect the frontiers, and sustain our position against the combined forces of the Mexican United States, are what we are urged to do! O vanity! O ignorance! what have ye done? Will my countrymen ever be the prey of political jugglers?"

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* Williamson's Address, July 4, 1835.

Dr. James B. Miller, the political chief of Brasos, while he despatched a letter of peace to General Cos, proceeded to organize the militia of his jurisdiction—though this he might well do to oppose the Indians, for they had become troublesome. In pursuance of previous notice, however, there was held on the 17th of July, at San Felipe, a meeting of the representatives sent from the jurisdictions of Austin, Columbia, and Mina,‡ to take into consideration the state of the country, and the alleged outrages against Mexico. Wylie Martin was chosen president, Charles B. Stewart secretary, and the meeting duly organized. After a session of four days, but little was accomplished. A reply was made to the letter of Ugartachea, in which he had assured the Texans of the good will of the central government. The reply represented the existence of a like conciliatory spirit on the part of Texas, and expressed regret for the recent outrages, requesting Ugartachea to interpose with Santa Anna and Cos. Captain Tenorio, who was present at this meeting, was mollified, by sending to Harrisburg for his arms, and to Patrick H. Jack for his private papers that had been taken from him at Anahuac.* On the second day of the convention, John A. Wharton moved for a call of a *general council* of the people of Texas, but the proposition was voted down. A committee of five was then appointed, to draw up a statement of facts in regard to the late disturbances, but the next day it was discharged, for want of the necessary information as to what constituted the facts. A commission, however, consisting of two persons (D. C. Barrett and Edward Gritton), was appointed, to proceed to Matamoras, and explain to General Cos the recent occurrences, and to assure him of the adherence of Texas to the general government and its institutions.† The meeting, having left all unfinished business in the hands of the political chief at his request, adjourned to meet again on the first of August following.

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* Edward, p. 235.

† Pine Bluff, July 3, 1835. MS.

‡ *Delegates from Columbia:* John A. Wharton, James F. Perry, Stirling M'Neil, James Knight, and Josiah H. Bell. *From Austin:* A. Somerville, John R. Jones, Wylie Martin, Jesse Bartlett, and C. B. Stewart. *From Mina:* D. C. Barrett.—*Journal of Proceedings, MS.*

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* "This day, 25th of July, gave Captain Tenorio an order from the political chief to Wray, *comisario* at Harrisburg, for the arms and accoutrements which were taken at his surrender; also an order to P. Jack for his (Tenorio's) private papers."—*Journal.*

† Journal, p. 6. Edward Gritton was an Englishman, who had been for some time domiciliated in Mexico, and had come to Texas in 1834, in company with Colonel Almonté. There remains now but little doubt of his treachery. The meeting raised by subscription five hundred and forty-seven dollars, and paid it over to these commissioners as an outfit. Gritton was a brother-in-law of Colonel Carbajal.

The proceedings of this convention had the effect to calm the feelings of the war-party, and place them in the minority. In the letter of Ugartachea, referred to on the previous page, he stated to the Texans that they had nothing to fear from the introduction of troops into Texas; that they would be placed in detachments at the commercial points to prevent smuggling, and also on the frontiers to repress the incursions of the Indians.* Nevertheless, it was the object of the peace-party to prevent, if possible, the introduction of troops into Texas; and they declared to Colonel Ugartachea, in their reply of the 17th of July, that if troops were despatched to attack the colonists, or were sent in great numbers for any purpose, it would cause the reunion of all parties, and a fearful civil war would be the result.

The people on the Navidad took a warlike view of public occurrences. They held a meeting at the house of William Millican, on the 19th of July, and, after appointing James Kerr chairman and Samuel Rogers secretary, declared their belief that Santa Anna was hostile to state sovereignty and the state constitution; that they would oppose any force that might be introduced into Texas for other than constitutional purposes; that, whereas there were then at Goliad two hundred infantry, on their march to Bexar, they recommended the chief of the department to intercept them; and they further advised the taking of Bexar. They concluded their proceedings by calling on the militia, and directing them to be ready to march at a moment's warning. An account of these spirited proceedings was speedily sent to San Felipe, but a change of feeling had occurred there since the meeting of the 22d of June, and the people were awaiting the result of the mission of Messrs. Barrett and Gritton.

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* Letter of July 7, 1835, MS. This was brought from Ugartachea by Gritton.

The people of Nacogdoches, though farther removed from the seat of disquiet, had already chosen a committee of safety and vigilance. Henry Rueg,* the political chief of that department, was friendly to the war-party, and aided the committee in its labors. Among the leaders of the war-party, the most prominent at that time were Travis, Bowie, Williamson, and Johnson. A letter from Travis, at San Felipe, to Bowie, at Nacogdoches, dated July 30, 1835, will give some idea of the views of his party at that date. "The truth is," says Travis, "the people are much divided here. The *peace-party*, as they style themselves, I believe are the strongest, and make much the most noise. Unless we could be united, had we not better be quiet, and settle down for a while? There is now no doubt but that a central government will be established. What will Texas do in that case? Dr. J. H. C. Miller, and Chambers, from Gonzales, are, I believe, for unqualified submission. I do not know the minds of the people upon the subject; but if they had a bold and determined leader, I am inclined to think they would kick against it. . . . . . General Cos writes that he wants to be at peace with us; and he appears to be disposed to cajole and soothe us. Ugartachea does the same. . . . God knows what we are to do! I am determined, for one, to go with my countrymen: right or wrong, 'sink or swim, live or die, survive or perish,' I am with them!"

On the 12th of July, General Cos addressed a letter to the political chief of Brasos, inquiring as to the late proceedings, and directing him to take measures for the suppression of disturbances. J. B. Miller was absent and sick at the time this paper reached San Felipe, and it was answered by Wylie Martin, the chief *pro tem.*[*] He assured General Cos that he had already taken steps to allay the disturbances, and had made known to the people the friendly assurances of his excellency. He further informed him of the appointment of commissioners to visit him at Matamoras, and make explanations.

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* Henry Rueg was a native of Switzerland. He came to the United States in 1818, and, with his partner Norgelle, brought a number of Dutch families to a tract of land near Compté, on Red river; but the colony, not prospering, was abandoned, and Rueg proceeded to Texas in 1821. After engaging for a while in the mule-trade, he set up a small store in Nacogdoches. Here an intimacy sprang up between him and Piedras the commandant, which, when that town was erected into a separate chieftaincy, resulted in his appointment to that office. He was the first and last political chief of the department.

In the meantime, early in July, Lorenzo de Zavala, late governor of the state and city of Mexico, and embassador to France, had fled from the tyranny of Santa Anna, and sought refuge on the shores of Texas. No sooner had the Mexican authorities learned this fact, than an order was despatched to have him arrested. Captain Antonio Tenorio, late of Anahuac, made the application for arrest to Wylie Martin, acting political chief, on the 24th of July. On the 26th the chief replied that he could not, in his civil capacity, proceed to arrest Zavala, because he had received no order to that effect from the government; and therefore he refused.

But there were spies at San Felipe, watching and reporting to Ugartachea the movements of the war-party. Dr. James H. C. Miller, of Gonzales, who was then at San Felipe as a delegate to the approaching convention of the first of August, thus wrote to John W. Smith, of Bexar, under date of July 25, 1835: "All here is in a train for peace. The war and speculating parties are entirely put down, and are preparing to leave the country. They should *now* be demanded of their respective chiefs—a few at a time. First, Johnson, Williamson, Travis, and Williams; and perhaps that is enough. Captain Martin, once so revolutionary, is now, thank God, where he should be, in favor of peace, and his duty; and by his influ-

[*] Letter of Wylie Martin to General Cos, July 25, 1835. MS.

ence, in a good degree, has peace been restored. But now they should be demanded. The moment is auspicious. The people are up. Say so, and oblige one who will never forget his true allegiance to the supreme authorities of the nation, and who knows that, till they are dealt with, Texas will never be quiet. Travis is in a peck of troubles. Dr. J. B. Miller disclaims his act in taking Anahuac, and he feels the breach. Don Lorenzo de Zavala is now in Columbia, attempting to arouse, &c. Have him called for, and he also will be delivered up. Williams, Baker, and Johnson, are now on a visit to him, and no doubt conspiring against the government. Fail not to move in this matter, and that *quickly*, as now is the time."

Smith immediately exhibited this letter to Ugartachea, who, being misled by it, and supposing the people of Texas would surrender their leading men, issued an order to each of the alcaldes, ordering them to take every possible means to arrest Zavala, Johnson, Williamson, Travis, Williams, and Baker; and, when in safe custody, to deliver them to Captain Tenorio at San Felipe. He further stated in the order, that, should they not do so, they would not only be compromitted themselves, but he would send a respectable force to arrest those persons.*

The commissioners to General Cos reported their proceedings to the committee of safety at Mina, and they were approved on the 29th of July. Having made the necessary preparations, the commissioners set out. Their correspondence is long and pointless. They left Bastrop on the 30th of July,† and arrived at Gonzales on the night of the 1st of August, where they met the order of Ugartachea for the arrest of Zavala and the other suspected persons. They succeeded in detaining the express until Gritton could hasten to Bexar, and endeavor to effect the revocation of the order. He succeeded only so far as to have rescinded that portion which required the prisoners, when arrested, to be delivered to Captain Tenorio.

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* Order from Bexar, July 31, 1835.

† Letter from Edward Gritton to Wylie Martin, July 30, 1835. The principal business of the commission on the route appeared to be the collection of funds.

The commissioners reached Bexar on the 5th of August, and had several interviews with Colonel Ugartachea. He could not understand what was meant by conventions, commissioners, and committees of safety, but looked upon them with jealousy as a sort of *pronunciamentos*, and of rebellious tendency. But they were operating, as they supposed, favorably upon the kind-hearted Mexican commandant of Texas, when—"Lo! at this auspicious moment," say the commissioners, "a courier from General Cos arrived, *interdicting all communication* with the colonies, leaving them to go to the devil in their own way!"* Cos had received a copy of the 4th-of-July address of R. M. Williamson: hence the interdict.

That night the commissioners went to bed—not to sleep, but "haunted by visions of broken heads, mangled limbs, and an ill-natured and unnatural conflict, unnecessarily provoked, and for the want of time to effect a proper understanding among all the parties concerned." But the next morning another courier arrived from Cos, countermanding the order of the preceding evening. He had received the account of the proceedings of the peace-convention of July 17–21, which changed the face of things, and consequently his own feelings. In his last despatch, however, General Cos still required, as a condition of peace, that the disturbers of public order should be given up. Nor did he act without the authority of Santa Anna. In a letter from Tornel, the minister of war and marine, to Cos, dated the 1st of August, he stated that it was Santa Anna's "will that the delinquents be chastised. . . . . that those who had attempted to disturb order should be given up, to be placed at the disposal of the tribunals." The order was also repeated on the 3d, so that General Cos had no discretion in the matter; and, while he was determined to obey these commands, as far as he could, he took care to make them public.* As the Texan commissioners were not authorized to surrender any one to the Mexican authorities, or to agree that it should be done, it was concluded to send back Mr. Gritton for further instructions, thus intimating pretty clearly that the surrenders should be made.

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* D. C. Barrett to the political chief of Brasos, August 8, 1835.

In pursuance of the foregoing arrangement, Mr. Gritton returned to San Felipe, while Mr. Barrett remained at Bexar; both, however, were to meet at Goliad on their way to Matamoras. But to return to more important events.

Santa Anna was extremely solicitous to obtain possession of the person of Zavala. The latter had been his friend, and had sustained him in a trying hour. But the aid was given for the cause of liberty! Santa Anna had deserted that cause, and now wished to sacrifice an ancient friend, who might live to reproach him for his perfidy. "I give this supreme order," says Tornel to Cos, "having the honor to direct it to you, requiring you to provide and bring into action all your ingenuity and activity in arranging energetic plans for success in the apprehension of Don Lorenzo Zavala, which person, in the actual circumstances of Texas, must be very pernicious. To this end I particularly recommend that you spare no means to secure his person, and place it at the disposition of the supreme government."

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* I have before me certified copies of these orders distributed by Colonel Ugartachea.

Cos, in transmitting this order to Ugartachea, on the 8th of August, directed him, if Zavala was not given up, to proceed at the head of all his cavalry to execute the command, and to give to the local authorities on the route information as to his sole object. General Cos also approved of Colonel Ugartachea's requisition upon the alcaldes for the other obnoxious individuals previously mentioned, and especially Travis, whose arrest he ordered, that he might be conducted to Bexar, to be tried by a military court.

The next point was to execute this "supreme order." Zavala was needed by the Texans in organizing their defence; and the time had not yet arrived when Travis should be shot at Bexar. But efforts to execute the order were postponed, to await the result of the application for new instructions to be furnished Mr. Gritton. The points on which the Texan commissioners wished instructions were—1. What disposition they should make of the individuals demanded for punishment. 2. As to the modification of the Mexican tariff, the general Congress being then in session. 3. With respect to a direct mail communication from Mexico, through Texas, to the United States. 4. As to the right of carrying on a coasting-trade in foreign bottoms. 5. In regard to citizenship. 6. The appointment of commissioners to extend land-titles to those Texans unprovided, and three fourths of them were in that condition. 7. As to the sending of troops into Texas. 8. With regard to the practice of sentencing convicts to Texas, making it a sanctuary for rogues.* Thus it will be seen that the simple embassy of peace, long before it reached its destination, had grown to one of plenipotentiary powers.

It will be remembered that the meeting that had appointed these commissioners had adjourned to meet again on the 1st of August. On that day but three municipalities were represented. After waiting till the 3d of the month, the political chief dissolved the council, saying that, if anything should occur, he would call another meeting;* so that, when Mr. Gritton presented himself, he found no one able to furnish him with instructions. The acting political chief, Wylie Martin, in reply, however, stated that the body that had appointed the commissioners had ceased to exist; and that a new election and convocation would require four weeks, and that would defeat the object of the mission—which was simply one of pacification. He regretted their delay, believing their powers sufficient for the main object; and concluded by informing them that those persons proscribed had left the department of Brasos, and that the balance of the war-party were still urging Texas to ruin, by attempting to bring about a general convention of the department.

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* Exhibit No. 7 to Barrett's letter of August 8, 1835. MS.

The report that the proscribed persons were on their way to the United States was eagerly seized by Ugartachea as an excuse for not marching in pursuit, at the risk of losing all his cavalry. General Cos wrote to him on the 20th of August, stating that it was useless for the commissioners to come to see him, for the purpose of making explanations, unless the disturbers of public order were first given up. But, in order to make matters easier, Ugartachea procured Barrett to write to the political chief of Brasos on the subject, and request of him affidavits of the fact that Zavala had left the country. The affidavits, however, were not made.†

In the meantime, the news of the demand made for these men had been extensively circulated in Texas, and excited a thorough war-spirit. The war-party was in the ascendency.

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* Journal of the council, MS.

† Barrett to the political chief of Brasos, August 17, 1835. MS.

Rueg, the political chief of Nacogdoches, had become fully aroused on the subject. He addressed a circular letter to his department, declaring his adherence to the federal form of government. It was published in the "New Orleans Bulletin" of the 7th of August, and met the eye of General Cos. "You are made responsible," said Cos to him in his letter of the 17th of the month, "for the consequences which such a document may produce; for it is your duty to give to your subordinates an example of submission and respect to the laws of the country. You have invited and conducted them toward rebellion and open resistance to its superior dispositions. The plans of the revolutionists of Texas are well known to this commandancy; and it is quite useless and vain to cover them with a hypocritical adherence to the federal constitution. The constitution by which all Mexicans may be governed is the constitution which the colonists of Texas *must obey*, no matter on what *principles* it may be formed."

It is clear enough that the Texans could not subscribe to this military dogma of General Cos, without a total abandonment of their rights.

The people of the "Red Lands" had also organized. In a series of resolutions introduced by Sam Houston, at a meeting in San Augustine, they declared their adherence to the *Acta Constitutiva*, and the constitution of 1824; that the arrest of Governor Viesca and the members of the legislature, and the intended introduction of an army into Texas, were evidences of tyranny, dangerous to liberty, and a violation of the terms on which the colonists had been invited hither; and that there was no legitimate head to the state government, the governor being imprisoned, and a creature of Santa Anna's being placed in his stead—in the exercise of powers unknown to the constitution. The resolutions further provided for negotiations with the Indian tribes, for raising and organizing the militia, and for appointing a committee of safety. They also declared that those who should fly the country should forfeit their lands.

In the meantime, Santa Anna was engaged in Mexico in the consolidation of a despotism. There were in that nation many genuine friends of liberty, ardent supporters of the constitution of 1824; but the terrors of banishment and death restrained them. Those who dared to oppose him were pursued and hunted down like wild beasts! Of this number were Zavala and Mexia. The Congress was completely in his hands. With the clergy and the army he fulminated his spiritual and military thunders. Over a timid and superstitious people his power had become nearly omnipotent. All but Texas had bowed the neck to the imperious tyrant. To him she was like "Mordecai sitting in the king's gate." His plan for her subjugation was, however, skilfully laid. It was, to fill the country gradually with military forces, under different pretences. In fact, five hundred troops were embarked for Texas in April of the present year (1835), but the disturbances in Zacatecas caused them to be recalled. The time which the dictator had fixed for the overthrow of the constitution was in the following October. Events had, however, hurried him on so rapidly, that he was compelled to change his plan, and despatch troops to Texas more rapidly. In July, he accordingly sent two hundred and fifty; in the first days of August, three hundred more; and there were a thousand more on the route.*

Under these threatening circumstances, the peaceful mission of Messrs. Barrett and Gritton died a natural death. So much was the public mind directed to the impending danger, that the diplomatic functions of the commissioners expired like an exhausted taper, and no record was left to inform us of the closing scene. It is certain, however, that they never reached the court to which they were accredited.

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* Address of the Committee of Columbia, August 20, 1835.

The western and middle colonies of Texas, during the summer of 1835, prepared and sent out an expedition against the Indians. The four small companies of Captains Robert M. Williamson, John H. Moore, George W. Barnett, and Philip Coe, assembled on the last days of July at Tenoxtitlan—whence, on the 31st of that month, they marched to Parker's fort, on the Navasoto, to the relief of Captain Coleman. Here they organized by the election of John H. Moore as major of the command. Thence they proceeded to Twowokana. The Indians, however, getting news of their approach, abandoned the town. The expedition returned after a campaign of some weeks, in which they had a number of adventures with the retreating savages. This seasonable display of force on the frontier was of great service, as it overawed the Indians, and also tended to discipline the volunteers, and prepare them for the toils and triumphs that awaited them at home.*

By the month of August it was clearly understood that the federal constitution was to be destroyed. The plan of Toluca—countenanced and perhaps started by Santa Anna—proposed a central government. The doctrine had already gone forth that the authority of the national Congress was unlimited—that it could do anything which Santa Anna desired. It was further understood that the president was to hold his office for eight years, and was to have some sort of advisory body, a council or Congress, but this body was to be dependent on him.

In regard to the Mexican policy toward Texas, it had been manifestly hostile since 1832. The troops were to be in that department by the time of the change in the form of government, fixed for October. Customhouses were to be established and defended. All those who had immigrated into Texas from the United States, since the law of April 6, 1830, were to be driven from the country. A number of proscribed, of which a long list was preserved, were to be arrested and tried by a drum-head court! The slaves were to be freed, and introduced to citizenship. The *empresarios* were to be dismissed from their functions, and future immigrants supplied from Mexico.* This appears to have been the future designed for Texas, and digested, no doubt, from the notes of Almonté.

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* Captain Williamson to the political chief of Brazos, August 16, 1835.

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* H. A. Alsberry to the People of Texas, August 28, 1835.

CHAPTER XXII.

The idea of a general consultation of all Texas had its origin in the jurisdiction of the municipality of Columbia. The people approved and recommended it in a meeting held there as early as the 23d of June, 1835. At another assembly, in the town of Columbia, on the 15th of August, a committee of fifteen persons was appointed, to be called "a committee of safety and correspondence for the jurisdiction of Columbia." It was "instructed to prepare an address to all the jurisdictions of Texas, requesting them to co-operate in the call for a *consultation of all Texas*."* The committee published its address, and it was sent by express to every municipality in

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* Address of the People of Columbia to the People of Texas, August 20, 1835. The committee appointed at the meeting of the 15th of August consisted of John A. Wharton, W. D. C. Hall, Henry Smith, Silas Dinsmore, James F. Perry, John G. M'Neil, Robert H. Williams, W. H. Jack, F. A. Bingham, John Hodge, Wade H. Bynum, Branch T. Archer, William T. Austin, P. Bertrand, and Isaac T. Tinsley. — *Journal of the Consultation*, p. 4. To do justice to Zavala, it is proper to state that, in an address made by him on the 7th of August, 1835, at Harrisburg, he said that "Coahuila and Texas formed a state of the republic, and, as one part of it is occupied by an invading force, the free part of it should proceed to organize a power which would restore harmony, and establish uniformity in all the branches of the public administration, which would be a rallying-point for the citizens, whose hearts now tremble for liberty. But as this power can only be organized by means of a convention, which should represent the free will of the citizens of Texas, it is my opinion that this step should be taken, and I suggest the 15th day of October as a time sufficient to allow all the departments to send their representatives." — *Foote*, vol. ii., p. 83.

Texas. This was a genuine *pronunciamento;* the consequent *plan* being that each jurisdiction or municipality should elect five individuals as representatives, the elections to be holden on the 5th of October, and the consultation to convene at the town of Washington on the 15th of the same month. Each member elect was to ascertain and bring with him the number of people in his jurisdiction; and those jurisdictions that had not already appointed committees of correspondence and safety, were to do so.

This arrangement for a consultation was wise: it was intended to unite and direct the energies of the whole people in compliance with the wishes of the majority. There were in Texas, at that time, three parties, as follows: the war-party, who thought the country should fight at once; a second party, that wished to consult and be united before adopting warlike measures; and a third party, known as *submissionists*, who were opposed to war under any circumstances. A general consultation would heal these divisions, and enable Texas to present an undivided front to her enemy.

The Mexicans commenced their warlike movements at Goliad. Colonel Ugartachea had been too long in Texas, knew too much of the character of her people, and was entirely too humane in his disposition, to answer the ends of General Cos; besides, he had not been as active in arresting the persons proscribed as it was supposed he ought to have been, though his experience at Velasco had taught him the necessity of great prudence in his dealings with the colonists. He was accordingly made to give place in the Texan commandancy to Colonel Nicholas Candelle, a man of barbarous antecedents, and much prejudiced against the Texans. He commenced his career in Goliad by putting the alcalde in jail, and extorting from the *administrador* the sum of five thousand dollars, under the penalty of being sent on foot a prisoner to Bexar in ten hours. He also stripped the town of its arms, pressed the people into the ranks as soldiers, and gave notice that the troops would be quartered upon the citizens—five to a family—and should be supported by them.[*]

The movement for a general consultation met with a general and favorable response from the different municipalities; and, after some correspondence with regard to the place of meeting, it was concluded, inasmuch as the principal political characters resided near San Felipe, and a printing-press was located there, that the meeting should occur at that place. Accordingly, the public mind was directed to the points to be settled by the consultation, and to suitable persons to carry out the will of the people.

Shortly after the capture of Captain Tenorio and his force at Anahuac by Travis, General Cos despatched the schooner-of-war *Correo Mexicano*, commanded by Captain Thompson, to the scene of action, to give protection to Mexican commerce in that quarter. Thompson remained some time in Galveston bay, and was quite insolent to traders and citizens, threatening to burn down the town of Anahuac.[†] While engaged in "protecting the revenues," he captured a small vessel engaged in the Texan trade. This conduct exasperated the public mind against him; and a merchant-vessel, the *San Felipe*, was purchased, and armed at New Orleans, placed under the command of Captain Hurd, and sent in pursuit of him. By the aid of the steamboat *Laura*, the *Correo* was captured (in September, 1835), and Captain Thompson sent to New Orleans to be tried for piracy.[‡]

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[*] Address of the people of Columbia, &c.

[†] Travis's letter to Bowie, July 30, 1835. MS.

[‡] Letter of Captain Thomas M. Thompson to the editor of the "Telegraph," October 15, 1837. Captain Thompson remained six months in prison in New

In the first days of September, Stephen F. Austin, after a detention so long and painful in Mexico, returned to Texas. The old pioneers who had come with him into the country, and been with him in days gone by, and who had witnessed and partaken of his toils and privations, gathered round and received him as one risen from the dead. Such demonstrations of regard were fully reciprocated by Austin. He was a genuine lover of his race, and especially of those for whose happiness he had devoted the best energies of his life. If there was any one desire nearer to his heart than all others, it was to see his colony prosper. He was greatly distressed to find Texas in her then unsettled condition. "I fully hoped," said he, "to have found Texas at peace and in tranquillity, but regret to find it in commotion—all disorganized, all in anarchy, and threatened with immediate hostilities. This state of things is deeply to be lamented."

Austin's many friends invited him to a dinner at Brasoria, on the 8th of September. On that occasion he addressed them in some sensible remarks touching their affairs. He declared in favor of their "constitutional rights, and the peace and security of Texas; also for a general consultation of the people." The great popularity and personal influence of Austin sufficed to bring over to the side of a consultation nearly all its opponents. Wylie Martin, the acting political chief, who had been so strongly opposed to revolutionary measures, and who had, in fact, been at the head of the peace-party, surrendered his opposition, and joined the friends of civil liberty. In his address, Austin stated that Santa Anna had "verbally and expressly authorized and requested him to say to the people of

Orleans, at the expiration of which time he was tried and acquitted. He was an Englishman, and had been in the Mexican service some years. He was very kind afterward to Texan prisoners at Matamoras, and ultimately took the side of the Texans.

Texas that he was their friend, that he wished for their prosperity, and would do all he could to promote it; and that in the new constitution he would use his influence to give to the people of Texas a special organization suited to their education, habits, and situation."

In a few days, Austin was placed on the committee of vigilance and safety at San Felipe, and gave a fresh impulse to the revolutionary correspondence of the committees. On the 12th of September, the committee at San Felipe sent out a circular, noticing, among other things, the rights of the Indians. It is true they qualified it by speaking only of their *just* and *legal* rights. This was a point of vast importance to eastern Texas, and, in fact, to the whole country, for there were more than a thousand warriors among the different tribes that had emigrated from the United States, and almost surrounded the frontier of eastern Texas. Colonel Bean, who had been for a long time Mexican agent for these Indians, possessed great influence over them; and they had only to turn their savage arms upon Texas to decide the contest in favor of Mexico. It was generally admitted that they had some rights, though they had never been distinctly defined by the Mexican government. The committees of San Augustine and Nacogdoches had jointly sent a deputation, which included the names of Houston and Rusk, to conciliate them. They declared to the Indians that "they had ordered all their surveyors to keep away from their lands, and not to make any marks on them; that they did not intend that any white man should interrupt them on their lands." These promises, to which others were afterward added, as we shall see, served to keep the Indians quiet.* Besides, Bean was probably at heart in favor of the Texan cause; but he had grown old, was very poor, and was receiving a colonel's pay in the Mexican service: therefore he did not wish to compromit either his office or his countrymen.

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* Letter to the Cherokees, September 18, 1835: MS. Big Mush and Bolles to the political chief of Nacogdoches, September 17, 1835: MS.

The desire of the colonies to perfect the titles to their lands was not suspended by the approach of war; and many, who had bought up headright claims, were still more anxious to have the titles extended. On the 3d of September, Colonel Ugartachea addressed an order to the political chief at Nacogdoches to suspend all persons, so engaged, from giving titles, till the further commands of the supreme government should be received. This order was referred to the committee of safety, who resolved that, under the laws, the settlers were entitled to their lands, and that, under the constitution, Colonel Ugartachea had no right to control the *civil* authority; and that therefore they would resist such an assumption of power, and would sustain the land-commissioner in extending titles. This was all manly and patriotic in the committee, though it would have been better if *they* had restrained the commissioner; for, during the contest which followed, and while the worthy of the land were in the army, monstrous frauds were perpetrated by the commissioner, and hundreds of leagues perhaps were passed away in the names of fictitious persons, and of such as had fled the country, never to return!

In the beginning of September, very few doubted that war was inevitable. The commission of Messrs. Barrett and Gritton will be remembered. Gritton had been sent from Bexar to San Felipe for instructions. He returned without them, but with a letter from Wylie Martin, stating that no further instructions were necessary. Barrett himself then returned to San Felipe, leaving Gritton at Bexar. It was shortly afterward discovered that Gritton was a spy; at least, the facts looked strongly that way. His intimacy with the Mexican officers; his desire to have the proscribed persons surrendered; his holding out the olive-branch to Texas until the enemy had almost filled the country with troops—these, and other facts, rendered him justly suspected. Barrett was advised, by a letter from Gonzales, of the suspicious conduct of his colleague, and, for a while at least, did not write to him.*

The Mexican officers, though they had seen, in the proceedings of the great meeting at Columbia, of the 15th of August, a resolution declaring that the proscribed persons would not be surrendered, still renewed and revised the list, and sent it to the different political chiefs. Even as late as the 3d of September, a new list was sent off.† With this list, they informed the Texans, through Edward Gritton, that they would certainly march into the colonies; and, among other things, when they came, they would remove intruders from the public lands.

At length, a despatch was received from the secretary of state of the supreme government,‡ declaring that "the colonists, in adopting Texas for their country, subjected themselves to the laws which a majority of the nation might establish." If the colonists had been allowed a voice in making those laws, even then there would be a limit to their obedience—which limit would depend upon the character of the laws, and the prospect of a successful resistance; but, having absolutely no voice in making the laws, the proposition was wholly inadmissible, and incompatible with civil liberty.

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* E. Bailey to D. C. Barrett, September 10, 1835: MS.

† "Lista de los yndividuos cuya aprehension se há recomendado en verificativo al gefe politico de los Brasos:—

"Jonson,
"Willerson,
"Travis,
"Villiams,
"Baker,
"Juan H. Moore,
"D^n. J. M^a. Carvajal,
"D^n. Juan Zambrano.

Ademas los que abrieron la correspondencia oficial de la Com^a. Gral. y de esta Prat. Bejar, 3 de Sep^{re}., de 1835. "Ugartachea."

The above is from the original before me. Carvajal and Zambrano were taken shortly afterward, and sent into the interior.

‡ Secretary of state to Mr. Ponton, August 12, 1835.

To add to the war-feeling among the Texans, positive intelligence arrived that General Cos, with an additional force, was on his march to Bexar, to overrun and disarm the country, to drive out all Americans who had come into Texas since 1830, and to punish those who had trampled upon Mexican authority. On the receipt of this news, the committee of safety at San Felipe, of which Stephen F. Austin was chairman, warned the people that "war was their only resource," and advised that volunteer companies be immediately formed.*

About the middle of September, Cos landed at Matagorda, with five hundred additional troops, and proceeded on his way to Bexar.† On his arrival in Texas, active operations commenced. In 1831, the commandant at Bexar had furnished the corporation of Gonzales with a piece of artillery, to aid them in their defence against the Indians. They continued to retain it, and claimed it as a gift. The Mexicans averred that it had only been loaned.‡ Ugartachea, wishing to disarm them of this cannon, despatched, through the political chief of Bexar, an order for it. They refused to deliver it up, on the ground of the alleged gift, declaring that the only object of the military at Bexar was to disarm them; and that they had no use for the cannon at Bexar, as they had there, besides those mounted, eighteen pieces unmounted. This refusal being made known at the latter place, Ugartachea despatched a force of one hundred cavalry, under Captain Castonado, to exact the delivery, giving him orders first to send a demand to the alcalde for the cannon, and, if refused, then to employ force. When Castonado with his cavalry arrived on the west bank of the Guadalupe, he found that the ferry-boat and canoes had all been removed to the left bank of the river. This was on Tuesday, the 29th of September. On the first demand, however, the committee of safety for Gonzales had despatched an express eastward for aid, as they anticipated this force of the enemy. A movement had already been made to send a body of Texans to Copano, to intercept the troops under Cos; but, on the receipt of the news from Gonzales, the volunteers directed their course, by a forced march, to that point.[*] The intelligence of the Mexican advance reached Bastrop on the morning of the 27th. Energetic measures were immediately taken, and the volunteers from that quarter rendezvoused at the "house of James Curtis" on the 28th.[†]

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* Circular of Committee, September 19, 1835.

† John W. Moore to Sam Houston, September 20, 1835.

‡ Ugartachea to Austin, October 4, 1835: MS. Letter of G. W. Davis.—*Foote*, vol. ii., p. 69.

On the 29th, the actual force at Gonzales was only eighteen men, under the command of Captain Albert Martin. In reply to the demand for the cannon which was made by the Mexicans across the river, they were informed that the alcalde was not at home, but would return in the evening. This answer was given in order to gain time. The enemy then retired to a point on the prairie about half a mile from the ferry, where they encamped.[‡]

The alcalde not having made his appearance, the *regidor* of the town informed the Mexicans that the authorities could do nothing until they had consulted with the political chief of Brasos. It is proper here to state that Santa Anna had lately appointed Don Rafael Musquiz governor of Coahuila and Texas, and that the political chief of Bexar had surrendered to his authority, but no other chief of Texas had done so. The people on the right bank of the Guadalupe, at the first alarm, had passed over to the side of Gonzales, and swelled the number of its defenders. The volunteers from the Colorado and Brasos did not wait to organize, but advanced rapidly to the point of danger. On Wednesday, the 30th, the Texan force numbered about a hundred men. The enemy made one or two feints at the ferry and at the ford, about half a mile below, but, finding the Texans vigilant, they retired to a mound about three hundred yards from the ford, where they passed Wednesday night. By Thursday, the Texan force had increased to a hundred and sixty-eight men. They now organized, and elected John H. Moore colonel, and J. W. E. Wallace lieutenant-colonel.

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[*] Austin to F. W. Johnson, of Nacogdoches, September 30, 1835: MS.

[†] Journal of the Committee of Safety at Mina: MS.

[‡] Letter of David B. Macomb.—*Foote*, vol. ii., p. 99. Kennedy says Castonado had one hundred and fifty men; Foote says two hundred. As it was only a captain's command, Ugartechea's statement is most probably correct.

Finding themselves strong enough to make an attack, on Thursday evening, at seven o'clock, the Texans set out on their march across the Guadalupe river. Fifty of their men were mounted; and they likewise carried with them the brass six-pounder, the bone of contention. The Mexican picket having fired on the advance of the Texans, aroused the main body of the enemy, and both parties immediately formed in order of battle. Here they rested on their arms; but at four o'clock, on Friday morning, the 2d of October, the enemy, taking advantage of a thick fog, retired to a high mound, and formed. The Texans did not discover this movement till daylight. As soon as they saw it, they advanced upon the Mexicans, under cover of the fog. The Texan scouts discovered the enemy, fired their pieces, and retired, the Mexicans in pursuit; but a discharge from the six-pounder caused the latter to retreat precipitately to their former position, three hundred and fifty yards distant. The Texans then took possession of a cornfield, and levelled the fence, so as to make room for the fire of the six-pounder.

At this moment, the enemy sounded a parley, and sent —— Smithers (a Texan, who, in retiring from San Antonio, they had made a prisoner) to request an interview. By this time the fog had cleared away, and the opposing forces were in full view of each other. Colonels Moore and Wallace met Captain Castonado on the prairie, when the latter demanded why they were fighting. Moore replied that the cannon which the Mexicans were attempting to take had been placed at Gonzales for the defence of the constitution and the constitutional authorities, and that no other authority would be obeyed. Castonado stated that he was a republican, and did not wish to fight the Texans; that his orders were to demand the cannon, and, if not delivered up, to take a position in the vicinity, and await further order. But Colonel Moore was not to be evaded in this manner: he accordingly summoned Captain Castonado to join the Texans, or to surrender. This not being admissible, the commanders retired to their respective lines. The Texans now opened the battle with their artillery, and charged upon the enemy. The latter soon fled in the direction of Bexar,[*] and the Texans returned to Gonzales, where they arrived at two o'clock in the afternoon, well satisfied with this first rencontre, and without the loss of a man. The Mexicans had a few killed.

The ball of revolution was now fairly put in motion. The news of the defeat of the Mexicans reached San Antonio on the 4th of October, when Colonel Ugartachea, as an old friend of Colonel Austin, addressed him a letter referring to that and previous transactions. After stating that Captain Castonado had *retired* from Gonzales by his order, he informed him that he would himself set out the next day (the 5th), "with the knowledge of Cos, with a force composed of every description of arms, sufficient to prove that the Mexicans would never suffer themselves to be insulted." He stated, however, in conclusion, that if Austin "would use his influence with the political chief to have the gun delivered up to the writer, wherever it might meet him, from that spot he would immediately return; if not, he would act militarily, and the consequence would be, a war declared by the colonists, which should be maintained by the nation with corresponding dignity."[*]

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[*] Letter of David B. Macomb.—*Foote*, vol. ii., p. 99. Kennedy states that when Gonzales applied to Bastrop (Mina) for aid, the latter referred the application to San Felipe. Not so: the volunteers of Bastrop repaired to the aid of Gonzales with as great speed as ever aid was furnished a neighbor in distress. —*Kennedy*, vol. ii., p. 105; *Journal of the Committee of Mina.*

The news of the affair at Gonzales soon spread throughout Texas. In the extreme eastern settlements the people were aroused. On the evening of the 5th of October, they held a meeting at San Augustine. Great enthusiasm was manifested, and a company was raised to leave for the seat of war on the 10th. Houston and Rusk were there. They set out for the west on the 6th. F. W. Johnson, one of the proscribed, started on the 5th.[†] Zavala quitted his residence on the San Jacinto, and repaired to San Felipe. Expresses and circulars were sent everywhere, to raise volunteers. The object, "to take Bexar, and drive the Mexican soldiery out of Texas," was boldly announced at San Felipe, and repeated by every committee of safety in the country.* Then came a stirring appeal from Colonel John H. Moore, dated at Gonzales, on the 6th of October, at eleven o'clock at night. Colonel Ugartachea had set out from Bexar on the 5th, with five hundred troops and three pieces of artillery, and was expected at Gonzales on the 7th. "Hasten your march," says Colonel Moore, "and join us as soon as you possibly can." Moore then had three hundred men at Gonzales; bu. Captain W. D. C. Hall and others were on the march.

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[*] In this letter, Ugartaches, speaking of the conduct of Captain Thompson, of the *Correo*, says: "I know you are right to complain of Thompson's proceedings, which I still less approve, as they were arbitrary; he having no authority to act in such manner." In the note of Monasterio, minister of foreign relations, to the secretary of state of the United States, dated Mexico, November 19, 1835, he says: "The ship *Correo*, commanded by Thompson, was a ship-of-war, under the full authority of the government; Captain Thompson, as well as the whole of his crew, belonged to the national marine of the Mexican republic, and were found in the seas of Texas in the execution of the orders received from the competent authority."

[†] Houston and Rusk to the committee at Nacogdoches, October 5, 1835: MS.

At this period, Texas had no head, but the nearness of danger enabled the people to act energetically without one. By common consent, however, San Felipe was adopted as a sort of centre of action, and Stephen F. Austin was looked to for orders and advice.

While these events were passing in Texas, the destruction of the federal constitution was consummated in Mexico. By a decree of the 3d of October, 1835, the state legislatures were abolished, and their places supplied by a department council. The governors of the several states, and, in fact, all officers, were made dependent on the supreme power. This was the work of Santa Anna, yet his name does not appear in the decree.† It was the finishing blow in the overthrow of civil liberty in Mexico. The people of Texas saw it, and foresaw it. The arrival of the news did not change their purpose or their action, for these had been already determined on. The affair at Gonzales was the first overt act on the part of their oppressors. They met and repelled it, as did the people at Lexington and Concord. There was no time to enroll, organize, or to provide for pay and rations. The instinct of patriotism was sufficient for the crisis, and the Texans met it like men who knew the worth of liberty.

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* Circular from the committee at San Felipe, October 8, 1835.—*Foote*, vol. ii., p. 84.

† Kennedy, vol. ii., p. 111.

The people of San Augustine nominated General Sam Houston to take the command of the troops in eastern Texas; and on the 8th of October, the committee at Nacogdoches concurred in the nomination, requesting him to take measures to raise volunteers in Texas and the United States. In the absence of ready means, the land and customhouse dues, in the hands of government-officers in Texas, were appropriated.* For the rest, and for horses and other property occasionally pressed into the service, promises of payment were made, and certificates given.

The volunteers continued to arrive at Gonzales, and in a short time the force there was such, that Colonel Ugartachea halted in his purpose. The Texans were well supplied with provisions, but needed arms and ammunition; and, to obtain these, extraordinary exertions were used by the committees. As a temporary head was requisite to give direction to these hasty and energetic movements, the committee at San Felipe proposed that one member from each of the other committees of safety should be appointed to repair without delay to San Felipe, and form a permanent council.† The proposition was immediately accepted: a council was organized, and R. R. Royall chosen president. This plan of organization came from Austin, who up to that time had been obliged to act as "a kind of natural chief," which was a responsibility he did not wish to assume. The appointment of this council enabled them to dispense with the services of Austin at San Felipe, that they might be employed in the army. He arrived at Gonzales on the evening of the 10th of October, and was elected commander-in-chief of the forces.

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* Proceedings of the committee of San Augustine, October 7, 1835: MS.

† Circular of the committee at San Felipe, October 4, 1835: MS.

It was determined to set out on the march for Bexar on the 12th of October, with a force of five hundred men, together with the notable six-pounder.[*] On that day they crossed the Guadalupe, and encamped on its western bank. Previous to Austin's arrival, the force at Gonzales had been reduced by sending off a detachment of one hundred and ten men, under the command of Captains Benjamin Fort Smith[†] and Allen, to the protection of Victoria. Before the departure of the army from Gonzales, a popular meeting was held at that place, requesting a postponement of the assembling of the general consultation until the first of November following. This arrangement was proposed for the reason that many of the members elect were in the army, and the others were requested to join in the attack upon Bexar. Austin also sent an express to Houston, to summon the Redlanders to unite with him. The latter complied with this request, and despatched a messenger for the purpose to eastern Texas.[‡]

It was likewise determined, on the part of the patriot forces, to capture Goliad as well as Bexar, and drive the Mexicans out of Texas. About forty of the planters from the banks of Caney and Matagorda, under the command of Captain George Collingsworth, set out on the march for the former place. His advance reached the ford of the San Antonio, below the town, just before midnight on the 9th of October. Two or three men were sent into the town to reconnoitre, while the others waited for the arrival of the main body of the command. The latter, having got lost, were detained; but on their route they fell in with the gallant Milam, who, having escaped from prison in Monterey, had rode night and day to reach Texas. He had stopped in a musquit-thicket to rest, when the Texans discovered and recognised him. A nobler volunteer could not have joined their ranks. Their number now being forty-eight, they advanced upon the town, guided by pioneers acquainted with the localities. They first attacked the quarters of Lieutenant-Colonel Sandoval, the commandant. The sentinel having fired, was shot down; the door of the commandant was then broken open with axes, and he was taken prisoner. The Mexicans were completely surprised, and surrendered unconditionally. Of the enemy there was one killed and three wounded; the Texans had one slightly wounded, and they took about twenty-five prisoners — the balance escaped.

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[*] M. T. Martin to Dr. Clow; Gonzales, October 11, 1835: MS.

[†] Benjamin F. Smith was a native of Kentucky. He removed with his father to Hinds county, Mississippi, and was the first representative from that county to the legislature. He was for a while agent among the Chickasaw Indians. At the age of sixteen he volunteered for the army, was with General Jackson in every engagement with the Indians, and during the whole of the campaign of 1814–'15. "He always sustained the character of a brave and valuable officer."—*Letter of General Jackson, July* 18, 1827; *Foote*, vol. ii., p. 109.

[‡] Sam Houston to G. M. Bryan, November 15, 1852: MS. Houston says, "I gave to the express the only and last five dollars I had, to bear his expenses east."

The most important results of this capture were the acquisition of military stores to the value of ten thousand dollars, some pieces of artillery, and three hundred stand of arms, all of which were greatly needed;* also the interruption of the communication between the Mexicans at Bexar and the gulf, which the latter were never afterward able to restore. Santa Anna, in subsequently attempting it at Anahuac, lost his army and his liberty. The commands of Captains Smith and Allen reached Victoria only after the enemy had retreated. They then marched to join the force under Collingsworth, hoping to overtake it before the assault upon Goliad, but they were too late; the place had been taken the night before, as previously related.

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* Foote, vol. ii., p. 115; Kennedy, vol. ii., p. 117; Austin to the committee at San Felipe, October 18, 1835.

A portion of the members to the consultation had assembled at Washington, and others at San Felipe. The former, after advising together, repaired to the latter place. They found everything in the right spirit, and the people all united. "It required," said the committee of San Felipe, in their circular of the 13th of October, "more patriotism to keep men at home than to get them into the service." The consultation met on the 16th. R. R. Royal was called to the chair, and Samuel Whiting chosen secretary. Thirty-two members were present, which not being a quorum, they adjourned till the next day. A communication from General Austin, inviting the members to repair to the army, and assist in taking Bexar, was read. On the 17th, a quorum not being present, they adjourned until the 1st of November, in the meantime granting leave for such as desired it to go and join the army, and others to remain and assist the council in keeping up the revolutionary correspondence.*

A large number of the members accepted the invitation of General Austin, and repaired to the army. Austin reached the Cibolo on the evening of the 16th, when he halted to await reinforcements from eastern Texas. At San Augustine, Bevils, and Nacogdoches, the committees were active in sending forward men, arms, and provisions. The intelligence of the capture of Goliad kindled a flame of enthusiasm throughout the country.†

The jurisdiction of Liberty, which had held out the longest on the side of peace, at length came over to the party of the revolution. They announced their position in an address (from the spirited pen of David G. Burnet), and sent forth their assistance to the army. To sustain the finances of the country, a committee, consisting of J. L. Hood, Jacob Garrett, and Peter J. Menard, was appointed by the council to receive and receipt for public moneys at Nacogdoches and San Augustine; and R. R. Royal and J. H. G. B[illegible]n were appointed a like committee for the other jurisdictions. The several vigilance committees collected more by subscriptions and donations. All who could contributed. The call for assistance was made, not only on the Texans, but on the friends of the cause in the United States, to aid in men, provisions, arms, and ammunition. The people of Natchitoches responded nobly at a public meeting on the 7th of October. At New Orleans, still more energetic measures were pursued. The *Grays*, two fine companies were fitted out in that city: one left by way of Natchitoches on the 17th, and the other by the gulf-route on the 19th of October. These companies will be noticed hereafter.

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* Journal of Consultation, p. 5; Houston to Bryan, November 15, 1852: MS.

† Austin to Committee at San Felipe, October 16, 1835; Committee at Nacogdoches to Committee at San Felipe, October 20, 1835: MSS.

On the 20th of October, Austin moved forward to the Salado, a small creek, five miles east of San Antonio, where he was joined by the members of the consultation. The army remained at this point some days, having an occasional skirmish with detachments of the enemy, in which the latter were invariably worsted. Houston, though he had been selected by some of the eastern committees to the command of their forces, did not assume any leadership over them. In a conversation between him and Austin, while at the Salado, the latter frankly stated that his attention had not been directed to military subjects, and that he was satisfied he could render more service to the country in other situations than at the head of the army, and urged Houston to take the command. The latter declined it, and for the reason that Austin had been elected by the troops, at their first assembly at Gonzales, and those who had subsequently joined had done so with the belief that he was tc command them; and if, from any cause, Austin were to resign the command, it would furnish a ground for discontent. Austin replied that, as the committees of Nacogdoches and San Augustine had nominated Houston to the command of the forces east of the Trinity, there could be no reasonable objection to his assuming the supreme charge as commander-in-chief. Houston assured him, however, that he could not, under the circumstances, in any way interfere with the command, unless it should be to carry out the orders of General Austin.* Here the matter dropped.

Austin had been waiting for reinforcements. Impatient of further delay, and receiving some additional forces, he prepared to move. Before leaving the Salado, however, it became necessary that the members of the consultation should decide as to their return to San Felipe. The force under Austin did not much exceed six hundred men. General Cos had been diligently engaged in fortifying San Antonio, and in providing munitions for a siege. He had received large reinforcements; and it was concluded by the Texans that the place could not be taken in a short time, without a loss which they were not able to sustain. In the meantime, it was necessary to organize a provisional government, and provide means for its support. The matter was submitted by Austin to the army, and it agreed almost unanimously that the members should return. Nevertheless, at the suggestion of Austin, they remained with the army some days longer. The forces then marched to the mission *L'Espada*, on the San Antonio river, about nine miles below Bexar. The members of the consultation left them on the night of their arrival, and returned to San Felipe.

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* Houston to Bryan, November 15, 1852: MS.

The commander-in-chief, wishing to obtain a position nearer to the enemy, despatched Captains Fannin and Bowie, with a command of ninety men, to examine the missions above that of L'Espada, and select the most eligible situation near Bexar for an encampment. They set out on the 27th of October, and, after visiting San Juan and San José, they proceeded to the mission of *Concepcion*, about one and a half miles from Bexar, and selected a piece of ground in a bend of the river, about five hundred yards from the mission. The river was skirted with timber; the prairie, which was a level plain, extended into the bend; but within the bend there was a river-bottom, nearly a hundred yards wide, from six to ten feet lower than the plain in front. This depression of the surface presents a bluff of that height, except in two places. The command was divided into two parties, each one taking a position along the skirt of timber on the upper and lower sides of the bend, having the open plain in front of them. It was naturally a strong position, the river and timber being in the rear of each division, with this natural parapet to fall behind in case of an attack. Having placed a strong picket-guard, they encamped for the night. Half an hour after sunrise the next morning (Wednesday, October 28), the advance of the enemy rode upon the Texan line. This was, no doubt, accidental, for a dense fog obscured every object. Henry Karnes* happened to be the sentinel at the point of contact. The Mexicans fired on him, and he returned the fire. Some of them then charged on him, and he fired with his pistol, which caused them to retire, when he retreated within the Texan lines.

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* Henry Karnes is another of those remarkable characters whose true history is a romance. He was raised in Tennessee. At an early age he joined a company of Arkansas trappers, who turned their attention to attacks on the Pawnee villages on the head-branches of Red river; but, having disagreed, they separated. Karnes, with three or four others, proceeded across to the head of the Trinity. Here, having their horses stolen, they obtained a canoe, and floated down the river to Robbins's ferry. Karnes procured employment at Groce's Retreat, where the war found him. He entered the Texan service, and fought with a hearty good will. One who was often with him, and by his side at Concepcion, says he never knew him to swear before or since that day. But when he came into the lines, after being shot at so often, and began to load his rifle, he

At the first alarm, the Texans flew to their arms, but could not see the enemy, who had almost surrounded their position, and opened a fire on them—at such a distance, however, that it produced no effect. Shortly after, the fog cleared away, when the Texans discovered that they were nearly hemmed in by their foes. The right flank of Fannin's division, occupying the lower part of the bend of the river before described, was extended to the south, and Bowie's detachment was placed on the same side, on the left of Fannin; so that, if the enemy should attempt to charge into the angle formed by the two skirts of timber, they could rake him without being exposed to the fire of their own men. This disposition brought the whole Texan force together, so that the two detachments could aid each other. In the meantime, the men cleared away the bushes and vines under the hill and along the margin; and, at the steep places, steps were cut in the side of the bluff, so that they could easily ascend to fire, and descend to reload. Before this work was fairly completed, however, the Mexican infantry was seen to advance with trailed arms, to the right of Fannin's division, and form a line of battle about two hundred yards from the Texan right flank. It was supported by five companies of cavalry, covering the front and flanks of the Texan position.

exclaimed, with some wrath, "The d——d rascals have shot out the bottom of my powder-horn!" Karnes rose to the rank of colonel in Texas. He was of low stature, and weighed about a hundred and sixty pounds; was quite sober and temperate, and had an effeminate voice. He was wholly illiterate, yet he had remarkable gentleness and delicacy of feeling, and was otherwise amiable in private life. He died at San Antonio, in August, 1840, surrounded by his numerous friends.

About eight o'clock in the morning, the battle was opened by the crack of a rifle from the Texan right. Immediately the firing became general. The Mexican line presented a continual sheet of flame; the Texans fired more slowly, but with deadly aim, each one falling below the bank to reload, while another took his place to fire. In about ten minutes, the enemy opened a fire of grape and canister from a six-pounder stationed about eighty yards from the Texan right flank, and at the same time a charge of cavalry was sounded. "But the cannon," says a narrator of the engagement, "was cleared, as if by magic, and a check put to the charge." Three times did the enemy repeat the attempt to charge, supplying the places of those who fell at the cannon, but without success. In the meantime, the Texans were moving by the right flank under the hill nearer to the cannon. So instinctively and harmoniously was this movement made, that "The cannon and victory" became the war-cry. The enemy had fired it but five times, and the Texans had cleared it three times, when the former made a precipitate retreat. The Texans advanced and took the cannon, and turned it upon the retreating foe; but it was found that there were but two cartridges remaining, and Bowie ordered his men to withhold their fire, as the Mexicans might rally. But the latter did not return. The enemy's loss in the engagement, which lasted only thirty minutes after it fairly commenced, was about sixty killed, many of them officers, and perhaps as many wounded.* The Texans lost but one killed (Richard Andrews), and none wounded. The Mexican force engaged was about four hundred men.

Among the incidents of these two days, it may be mentioned that the Texans had reached the battle-ground on the 27th by noon. Their presence was discovered by the Mexicans, whose cavalry appeared on the prairie that evening. There was an occasional skirmish between detachments the entire afternoon. Bowie, seeing the danger of their situation, despatched M'Comb at sunset as express to Austin, eight and a half miles below; but the main army of the Texans did not reach the battle-ground until half an hour after the affair was over. At the second fire of the enemy's artillery, the Texans killed the mule-driver in charge of the *caisson* containing the ammunition. When the driver fell, the team ran off with great fury through the lines of the Mexican infantry, throwing them into confusion. There were sixteen of the enemy found dead around the cannon when it was taken. The last one killed was attempting to spike the piece, when he was shot by Samuel Whiting. The enemy pointed their artillery to the north skirt of the bend, which had been occupied by Bowie, supposing him to be still there; hence they did no execution.

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* Report of Bowie and Fannin.—*Foote*, vol. ii., p. 121.

At noon, on the 28th, a flag came out from the Mexicans, in charge of the parish-priest, for leave to bury the dead, which was granted.[*]

This battle was a brilliant affair, and well deserved the commendation bestowed by the consultation, which, on the 3d of November, on motion of Sam Houston, thanked the officers and men for their heroic gallantry and valor.[†]

To return to the civil government of Texas. On the recommendation of the committee of San Felipe, that one from each of the other committees should attend to form a central council, a temporary head was formed. Those of the consultation that assembled on the 16th of October, found it in session;

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[*] When the Texans first encamped at Concepcion, the enemy, in order to ascertain if Austin was present, sent out a Mexican with a bag of *piloncillos* and a bottle of *muscal*, as a present from the priest to General Austin. In the absence of the latter the officers in command received and used the gifts.

[†] Journal of the Consultation, p. 9.

and when, on the 17th, they adjourned till the first of November, they recognised it by declaring that those members "who could not join the army, might remain, with the permission to unite with the council of Texas, and have access to all the intelligence in possession of the council relative to the [then] present crisis." This body was thus the government of Texas, duly acknowledged, and never disputed. It proceeded to a further organization by appointing A. Huston, one of the members from San Augustine, as secretary.

To prevent further depredations upon the public lands in the absence of the volunteers, the council declared that "all land-offices be closed until the present difficulties of Texas are removed, or until the consultation meets and acts on the matter; and further that all commissioners cease to grant orders of surveys, that all surveyors cease their operations in surveying, and that all transactions in regard to public lands whatsoever shall cease until the consultation meets and acts on the subject." The council directed copies of this order to be served on the land-commissioners, which was done. The committees of Nacogdoches and San Augustine, taking up this subject, fixed upon the first of November when all such officers should cease their functions.* The council proceeded further to declare and recommend that the four hundred league transaction be declared void.

On the subject of the Indians there was much difficulty in the council. Their position was threatening, their disposition wavering. The word of promise had for thirteen years been given them, and during that time they had occupied their lands. They had also made improvements: those of the Cherokees a short day's journey northwest of Nacogdoches; those of the

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* Order of the General Council. Letter of Committee at San Augustine to Committee at Nacogdoches, October 29, 1835: MSS.

Shawnees between the Cherokee improvements and the Neches; and those of the Cooshatties on the east bank of the Trinity. A deputation had been appointed, as has been already stated, by the eastern committees, to confer with them. The mouthpiece of the upper Indians was a free negro by the name of William Goyens, who on all occasions proved himself honest and faithful to the Texans. Arrangements had been made, through Goyens, that the Indians should have a representative before the consultation. On the 14th of October, Houston wrote them that they should "have their land above the road, and between the Neches and the Angelina, so as to include their villages." On the 25th of the same month, Austin wrote that he was "decidedly in favor of securing to the civilized Indians who had emigrated to Texas their lands and rights; and would agree to whatever the consultation did on the subject, so far as it depended on him." On the 26th of October, the council invited them to come to San Felipe, where "their case would be attended to." These promises kept the civilized Indians quiet. To overawe the wild tribes, rangers were sent out on the frontier, and, upon the representation of the people of Bastrop, the ranging-service was extended west of the Colorado.

The Texan government—that is, the council—had much to do. The correspondence was immense; the authority of the councillors limited by the precarious tenure of their offices. But they had willing coöperators. The union was complete. With their slender resources they managed to send a weekly mail through Texas to Fort Jesup, thus keeping up a regular communication with the United States. Messrs. Baker and Borden had established a printing-press at San Felipe, which sent out the weekly "Telegraph," and *extras* without number. The people of eastern Texas were also about establishing, at

Nacogdoches, "The Emigrant's Guide." Thus the elements of civilization and progress were mingling with the ravages of war.

During the brief existence of the council, that body appointed Sims Hall army-contractor; it sent an able address to the people of the United States; it appointed T. F. M'Kinney an agent to contract a loan at New Orleans of a hundred thousand dollars; it granted to several persons letters of reprisal: these were some of the more important acts of this first government of revolutionary Texas.*

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* Journal of Consultation, p. 11.

APPENDIX NO. I.

OLD RECORD IN THE ARCHIVES OF BEXAR.

Supp^{or} Gov^{no}. Año–De. 1744.

Testim^{o} de un Parecer dado en los Auttos fechos en Virtud de Real Cedula en q^{e} S. M. manda se le imforme sobre surttos abusos comettidos en la Provincia de Texas en el tiempo que se expressa; y Tambien de un Parrapho de ottro Parecer dado en los proprios Auttos, uno y ottro del S^{or} Audittor Grâl de la Guerra.

Srio. Dn Jos. de Gorraez.

✠

Un Quartillo.

Sello quarto, un quartillo, año de mil setecientos y quarenta.

Con cuio motivo podra tambien V. excelencia repettir à dicho governador aplique todo su mas debido punttual zeloso desvelo aque los Franceses se conttengan denttro de sus limittes, sin propassar los en manera alguna, proporsionando aestte fin los medios mas oporttunos, y celando, que el numero deaquellos religiosos missioneros y presidiales estte siempre completto por las pernisiosas gravissimas consequencias delo conttrario, y solicittando con la mas exactta eficacia diligentte y acttivo exmero familias Españolas, quese avezinden, y pueblen aquella fronttera para su mayor resguardo, y que asu exemplo aquellos Yndios se docilitten, y radiquen en nuestra Santta Fée, fidelidad, Lealttad, y aplicacion al travajo procurando sean bien ttrattados, agasajados, y acariciados delos reverendos padres missioneros, delos soldados precidiales y demas vezinos Españoles como ttan importtante todo al servicio de ambas magesttades en que V. excelencia mandara lo que mejor estitimare Mexico marzo seis de mill settesientos quarentta y quattro.

El Marques de Alttamira.

Excelenttissimo Señor: Ademas del serio imforme pedido en la precedentte Real Cedula de quinse de Julio de settesienttos quarentta, tiene su magesttad ordenado por la via reserbada en cartta de veintte yttres de Marzo, y por el Consejo en Real Cedula de primero de Diziembre de settesienttos quarentta y uno, se le embie testtimonio deesttos autos; lo que muchas vezes se ha mandado por esa capittania-general, y han embarazado los recurzos delas parttes, y el cumulo del processo, compuestto de treentta confusos inttrincados quadernos. Compendio el audittor lo principal deellos con sus foliaxes en dicttamen de dos del passado al final del quarderno formado sobre ocho mill, y mas pesos demandados por el sittado Don Carlos Franquis Benittes de Lugo asu anttescessor el Capittan Don Manuel de Sandoval. Ahora summara dicho compendio, y la sittuassion con finis calidades descubrimientto, progressos, y esttado de la provincia de Texas, Nuevas Philipinas con algun razgo deestta septentrional America.

Opuestto el ysthimo de Panama a la reunion de los dos mares de nortte, y Sur quitta el ser Ysla a la America Austtral trabandola à la septtentrional. Corre des de alli estta, enttre ambos mares como mill leguas al nortte hastta esta capittal de Mexico, quedando en sus disttancias los Obispados de Nicaragua, Honduras, Guatthemala, y Chiapa en disttintto de la Real Audiencia de Guatthemala, y los de Campeche, Oaxaca y Puebla en territtorio de estta Real Audiencia Mexicana Tiene Mexico al orientte el puertto de Nueva Vera Cruz en el Ceno Mexicano mar del nortte; y al Ponientte quazi en igual disttancia, el puertto de Acapulco en el mar del Sur o Pacifico; disttanttes enttre si ambos puerttos como cientto, y cinquentta leguas.

Des de Mexico para el nortte sigue estta Nueva España hasta el esttrecho de Anian, pero solo hay des cubierttas pocomas de seis cienttas leguas enttre ambos referidos mares. La costta del Sur, aunque no bien poblada estta entteramentte pacificada cuyas ultimas conce guttibas provincias del Rosario Culiacan, Sinaloa, Osttimuri, y Sonora componen la capittania-general, y governacion de Sinaloa, Sique su rumbo (con intterposission del Mar Bermejo, o canal de Californias) la Ysla de estte Nombre; en lague ay tambien pacificadas como doscienttas y cinquentta leguas.

En la costta del mar del nortte o Ceno Mexicano solo hay pobladas como settentta leguas des de dicho puertto de Nueva Vera Cruz hastta el de Tampico. Aun por lo mas intternado se ofrece anttes la Sierra Gorda, Rio Verde, y ottros desierttos demas de ottras settentta leguas en que havittan podavia Yndios barbaros Chichimecos cuya pacificacion solicitta hay de orden de V. excelencia sin costto alguno de la Real Hacienda el Thenientte de Capittan-General Don Joseph de Escandon. Siguese à esttos des poblados la capittania-general y governacion del Nuevo Reyno de Leon, que disttara de Mexico como cientto y cinquentta leguas, y ttendra ottras cientto de Sur, à nortte; pero pocomas de veintte de Ponientte à orientte mediando al Ceno Mexicano ottras sesentta lequas ocupadas tambien de Yndios no reducidos.

Fertilizado de muchos Rios el Nuevo Reyno es tan pinque que annualmentte enttran ainvernar en el des de Noviembre à Mayo como veinte y seis haciendas de Obejas, llevando cada una quattro, seis, o mas sirvienttes armados quellaman escoltteros (con salarios de à cientto y cinquentta pesos) para resguardo conttra los Yndios genttiles. Al mismo fin previenen la ordenanza cientto settentta y seis y siguiente del nuevo reglamentto de precidios que el capittan, y los doce soldados del de San Gregorio de Serralvo se manttengan todo el referido tiempo en la fronttera. Traspassan estta algunas de dichas haciendas, enttrandose alas no menos ferttiles tierras de los Yndios genttiles, à quienes tambien suelen probocar ottras inconcideraciones de los pasttores; y como los Yndios son nattural-mentte propenzos à robos, facilmentte se despechan, à executtarlos con muerttes, y todo genero de barbaras attrocidades, que no han remediado en ttanttos años, ni dichos precidiales de Serralvo ni el crecido numero de escoltteros dettanttas haciendas enttre si dispersas. Pudieran ácaso remediarse, si con lo que se gastta en dichos precidiales, y escolteros se formase una compania volantte de cinquentta o quarentta hombres escogidos, que al cargo de un capittan y thenientte en dos ttrossos recorriessen aquilla fronttera orienttal, y escolttasen missioneros celosos que reduxessen los genttiles à los pueblos que se les formasen en sus mismas tierras attrahiendolos aello con los agasajos, y el buen ttrattamientto prebenido en las Leyes.

Al Nuevo Reyno de Leon sigue la provincia y governacion de Coahuila o Nueva Estremadura, larga de Sur â nortte mas de cientto veintte leguas hastta el Rio de Medina en que comienza la siguientte ulttima nuesttra provincia, y governacion de Texas ó Nueva Philipinas. Enttre la de Coahuila, y el Seno Mexicano median tambien Yndios genttiles, y lo propio sucede en la de Texas. Viben esttos Yndios en rancherias de pocas familias quellaman naciones, susttenttandose solo de fruttas silbestres sin havittacion ni cultto de religion alguna, y regularmentte esttan opuesttas enttre si dichas naciones of rancherias. No solo no estta poblada la referida costta del Ceno Mexicano des de Tampico à lo ultimo de Texas sino que quazi ttoda ella es entteramentte desconocida. Lattierra es ttan vaja que en ella forma el mar frequenttes cienegas entteros, o lagunas que acasso haran menos apreciables sus immediaciones, bien que hay confussas verosimiles notticias dettener esttimables quanttiosas salinas como se experimentta en la descubiertta costta de Tampico.

Son nottorias las provincias, cuidades, villas, y pueblos intternados en dichas sejs cienttas leguas de Mexico para el nortte, comprehendidos en el disttricto deestta Real Audiencia, Arzovispado de Mexico, y Obispado de Valladolid, en el territorio de la Real Audiencia de Guadalaxara o Nueva Galicia obispado deestte nombre, y el de Durango o Nueva Viscaya, queesttienden sus espirittuales jurisdicsiones auna, y ottra costta Toda la del nortte es deestta Real Audiencia Mexicana, y nada de la de Guadalaxara; pero su obispado tiene alli las provincias del Nuevo Reyno de Leon, Coahuila y Texas. Enttre la governacion, y capittania-general de Guadalaxara o Nueva Galicia, y la de la Nueva Viscaya se halla la estteril provincia del Nayaritt pacificada de pocos años à estta partte.

Sigue despues intternada para el nortte dicha capittania-general y governacion de la Nueva Viscaya comprehensiva de varias provincias llamada tambien del Parral por el Real de Minas de este nombre, que distta doscienttas noventta leguas de Mexico, y trescienttas sesentta su recomendable villa y Mineria de San Phelipe el Real de Chiguagua. Como cien leguas mas adelante deestta, al misma Rumbo del Nortte sehalla el Real Precidio del Passo, quees la enttra da para la provincia y governacion del Nuevo Mexico cuya capittal es la villa de Santta Fée, que distta de Mexico seis cienttas leguas.

La Nueva Viscaya tiene al poniente la referida governacion y Capittania General de Sinaloa, y al orientte las del Nuevo Reyno y Coahuila. Estta como superior attodas la de el Nuevo Mexico comunicada solo por el Sur con la de la Nueva Viscaya, y por las demas parttes rodeada de Yndios genttiles. Deestta provincia del Nuevo Mexico vaja el Rio nombrado del Nortte, qui viniendo derecho al Sur corre immediatto à dicha capittal de Santta fée, y al expressado Real Precidio del Passo. Despues tuerse al orientte, y cortta alguna partte de la Nueva Viscaya de donde recive el Rio de Conchos. Attraviesa luego por medio de la Provincia de Coahuila pasando tres leguas mas adelantte de su Precidio de San Juan Baupttistta, llamado por ello del Rio Grande. Tiene alli de ancho dicho Rio como un ttiro de vala de fucil, y mas de una vara de profundidad, la que en tiempo de avenidas suele subir aesttado y medio. Conttinua siempre à orientte, y cruzando veintte leguas mas alla de la fronttera de dicho Nuevo Reyno, y de su Precidio de Serralvo, desahua con nombre de Rio Bravo, par tierras de Yndios genttiles desconocidas de los nuestros.

A la provincia de Texas siguen como cientta quarentta leguas partte de la luciana en que habra veintte y ocho años se nos mettieron los Franceses vanda de Aca del famoso Rio Misisipi corre estte de nortte à Sur ocho sienttas leguas, y con dos de ancho desemboca donde comienza à cerrar el Ceno Mexicano franqueando asu vueltta tanttas o mas ttierras, que ttodas las ya indicadas. Con dichas ocho sienttas leguas de nortte à Sur divi de el Misisipi toda estta Septtentrional America en dos mittades. La de aca se forma de ttodas nuesttras provincias des de el sittado Ysthimo de Panama hastta los ulttimos des cubrinicenttos de Sonora, Nuevo Mexico y Texas, y aun hastta el no descubiertto esttrecho de Anian; vajo ttodo del nombre de Nueva España. La de alla incluye la ottra partte de la Luciana, y su capittal la Nueva Orleans sobre el Missisipi, que anttes era la ciudad de la Mobila quarentta leguas mas adelantte.

Doce leguas de la Mobila al Ceno Mexicano esta nuesttra Bahia y plaza de Santta Maria de Galbe o Pansacola de donde corre nuesttra costta de la Florida hastta la plaza y ciudad de San Augusttin siguen dominios Ynglezes y Suecos, y passada Terranova se ofrece al orientte de aquellas disttancias el Mar que rebuelbe por ttodo lo descubiertto del nortte donde tienen sus colonias los Dinamarqueses.

No solo se nos mettieron los Franceses con su Luciana de la partte de aca del Misisipi ciñendo nuesttra provincia de Texas sino que enttre estta, y el Nuevo Mexico intternaron sesentte leguas mas aca su Precidio y colonia de Candadachos sobre el Rio de estte nombre. Por el vajan en canoas hastta su ottro Precidio de San Juan Baupttistta de Nochittoos donde se junta dicho Rio de Candadachos con el que nombran Colorado o Rojo, yamas navegable hastta el Misisipi. Desde estte conttinuan su navegacion por el de Ylinois à los cinco Ynsignes Lagos tambien navegables y comunicados enttre si por canalis.

Prosiguen despues dicha su navegacion por el Candaloso Rio de San Lorenzo que naciendo de dichos Lagos desemboca al orientte en el Mar con quarentta leguas de ancho, haciendo Ysla à Terranoba. Sobre este Rio tienen los Franceses à Quebec, cappital y mettropoli de sus grandes colonias de Nueva Francia, y Canada. Posehen en ttodas muchos precidios, crecidos pueblos, numerosas naciones de Yndios con quienes facilmentte congenian rayandosse y pinttandose como illos los rosttros hablando sus Idiomas, asisttiendo à sus bayles casandose con las Yndias, y rescattando pieles por Bujerias cuchillos y armas de fuego aque son mui propensas los Yndios. En estte conttinuado trafico navegan los Franceses mas de mil y ocho sienttas leguas desde donde deshagua dicho Rio de San Lorenzo hastta el sitado Precidio de Candadachos que dandoles por el Ceno Mexicano ottro mas vrebe viaje.

Don Gabrill de Cardenas en el ensayo para la Histtoria de la Florida (años de mil sette sienttos quattro y siguientes) dice, que por attencion à nuesttro catthólico monarca repelio el Christtianissimo Luis Decimo quartto las repettidas insttancias del Mercader Frances Crozat, que queria enttonces poblar de Franceses loque oy essu Luciana, y que muertto el Christtianissimo en Septiembre del año de settesienttos y quince logro Crozat sus ideas se formo una compania de comersianttes obligada à conducir cada año ciertto numero de familias y gentte de guerra con que esttendieron sus poblaciones por las riveras del Rio Misisipi o de la palizada corttando una provincia de mas de mil leguas. Enttonces no se havian aun propasado de la vanda de aca del Misisipi pues sus Precidios de Nachittos, y de Candadachos comenzaron el año de settesienttos dus y seis como ya se dira. Lo siertto es, que quantto poseen los Franceses de la partte de aca del Misisipi lo cercenan y absttrahen de nuesttra Nueva España, abreendo puertta franca para exttender se cada dia mas, Su vecindad hace mas belicosos, y osados los Yndios genttiles que frequentte mentte nos hosttilizan pues los Franceses les dan armas de fuego, y cavallos en cuyo manejo se adiesttran summamentte los Yndios por su nattural inclinacion, y agilidad, y por exercittarde communmentte en la caza de Cibolos, vena dos, Osos y ottros animales de que abundan sus ttierras.

Reduciendo asu debocion los Franceses poblados en Candadachos los Yndios Apaches, y de ottras Barbaras Naciones (que median enttre nuesttras Provincias de Texas, y Coahuila, y la del Nuevo Mexico) pudieran inttroducirse sin ser senttidos hasta la de la Nueva Viscaya, y si hoy no es reselable estto, por la union y enlace delas dos Coronas, puede serlo, siempre que ayga algun rompimientto. Tienin los Franceses mas facil disposission en sus empressas por el mayor numero de Gentte y de Yndios aliados concurriendo el commodo transportte desus apressos por los Rios Navegables, y el esttar conttinuadas sus Poblasones para sosttenerse y auxiliarse.

Hisose ya presentte asu Magesttad en consulttas de quince de Septtiembre de settesientos y quince, y veintte y ocho de Julio de settesienttos dies y siette, quan importtantte era à la seguridad de esttos dominios que se esttablisiese por limitte enttre las dos Coronas dicho famoso Rio Misisipi, y que se poblasen por nuesttra partte sus marjenes de la Vanda de aca cerrando con su Candalosa corrientte toda ocasion de diferiencias y distturbios. El asumptto parece recomendable y que noharia molesttos los recuerdos.

Para el esttado acttual de la Provincia y Governacion de Texas se insinuara algo de la antterior contigua de Coahuila. La capittal deestta es la villa de Santtiago de la Monclova en que recide el governador, quees ttambien capittan de su Precidio de San Francisco con treintta y cinco plazas disttantte de Mexico doscienttas cinquentta leguas, veintte y cinco mas adelantte para el nortte attraviessa el Rio de Savinas que desciende de azia el Ponientte donde se halla en dicha Provincia el Precidio del Sacramentto con un Capittan y cinquentta Soldados.

Aottras veintte y cinco leguas del mismo R·o de Sabinas para el Nortte estta el Precidio de San Juan Baupttistta del Rio grande con un capitan, y treintta y dos Plazas: y tres leguas mas adelantte cruza el ya mencionado Rio grande del Norte en cuyas marjenes ay diferenttes parajes reconocidos por buenos para poblaciones y Haciendas. Desde dicho Precidio de San Juan Baupttistta de Rio grande hasta el de San Anttonio de Vejar o Valero (que estta estte seis leguas intternado en la Provincia de Texas) median ottras settentta leguas sui poblacion alguna el ttoda su sircumferencia. Tiene dicho Precidio de San Anttonio un Capittan y quarentta y ttres plazas, y en sus immediaciones se halla la villa de San Fernando con pocos vezinos Ysleños de Canarias, y algunas ottras familias de aca del Reyno fundada en el año de settesienttos treintta y uno. Esttan alli ttambien conttiguas cinco Missiones de Yndios administtradas por los Reverendos Padres Apostolicos de la observancia de San Francisco de los Collegios de Querettaro y Zacattecas.

Aunque es ferttil aquella Tierra abeneficio de los Rios de San Pedro, y San Anttonio que la bañan no es suficientte para los Precidiales, Pobladores, y Misiones que repettidas veces se han quejado de hallarse estre chados, y sin poder esttenderse por las frequienttes hosttilidades que experimenttan de los Yndios Apaches. La lomiria grande que sttos ocupan comiensa a veintte leguas de dicho Precidio mas intternada al Nortte de donde salen à insulttar, no solo por ttodos los quattro vienttos de dicho Precidio de San Anttonio de Vejar; sino que se intternan hasta la Provincia de Coahuila; ussan de cavallos, Armas de fuego y flechas con mucha desttreza y agilidad sin haverseles escarmenttado con las compañias conttra ellos executtadas los años de settesienttos treintta y dos, y settesienttos y quarentta. Piden la paz quando se concideran amenzados; pero luego la quebranttan traidora y alebosamentte con muerttes, y todo Genero de barbaras attrocidades, teniendo en menos sus hijos y mugeres que el logro de algunos Cavallos.

Sesentta leguas al orientte de dicho Precidio de Vejar sobre el Ceno Mexicano estta la Bahia de San Bernardo (llamada mas comunmentte del Espirittu Santto) en que desaquan dos Rios y ttres Arroyos, y sondeada en Octubre del año de seiscientos y nobentta tema la enttrada dies y ochopalmos en vaja Mar, y en plena veintte y quattro, y dentro dela barra tres, quattro, y siette brazas enparttes. En sus immediaciones sepuso ottro Precidio que hoy se halla treintta leguas mas intternado azia el de San Anttonio de Bejar sobre las marjenes del Rio de Guadalupe donde estta ottra Mission administtrada tambien por dichos Reverendos Padres Aposttolicos.

Cientto settentta y dos leguas de dicho Precidio de San Anttonio estta el paraje nombrado propriamentte Texas, Asinays, o Nechas, y sesentta leguas mas adelantte se hallan ottras tres Missiones, y el Precidio de Nuesttra Señora del Pilar de los Adays con sesentta plazas dequees Capittan el Governador. Es el Precidio de los Adays capittal dettoda aquella Provincia; distta de Mexico seiscienttas leguas, y siette del ya referido Precidio Frances de San Juan

Baupttistta de Nochitos. Desde dicho Rio de Medina en que comienza dicha Provincia de Texas hastta el Precidio delos Adays en que termina; es su longittud de Sur a Norte como de doscienttas quarenta leguas, y su lattittud de Ponientte al Seno Mexicano como de ochentta La tierra es ttoda llana, y attravessada de veintte y siete Rios y Arroyos; pero tan profundos, que son innutiles sus aguas para el regadio. Con sus cresienttes y avenidas forman muchos estteros Cienegas y Lagunas, que hacen panttanoso y poco trancittable el Terreno. Abundan los Rios de Pezca, y los montes de Cibolos, venados, Osos, Conejos, Liebres, Perdices, Codornises, y Pabos como ttambien de Silbesttres Casttañas, Nuezes, Parraz, Nisperos, Enzinos, Moreras, Pinos y ottros Arboles que parecio de gran commodidad para Poblaciones a los primeros descubridores.

El primero deesttos fue Robertto Cavalier de la Sala nattural de Roan en Francia que vibiendo en la Canada emprehendio por dichos Lagos el descubrimuntto del Rio Misisipi por donde desemboca en el Ceno Mexicano; y conducido a Francia volbio conquattro Navios encargado de poblar las Riveras del Misisipi pensanda penettrar despues hasta nuesttros Minerales de la Nueva Viscaya. Erro la enttrada del Rio Misisipi, y dio con nuesttra Bahia del Espirittu Santto que llamo de San Luiz y del mismo nombre erigio alli un Precidio en principios del año de seiscienttos ochentta y cinco. Dexada Guarnicion busco por ttierra el Misisipi, attravesando el reforido paraje nombrado de Texas le mattaron el año de seiscienttos ochenta y siette sus mismos compañeros, que luego se restittuyeron a la Nueva Francia. Frusttadas varias diligencias deestte Govierno sobre los designios de Robertto los descubrio en el año de seiscienttos ochentta y ocho un Frances nombrado Jean Enrrique, aprehendido en las immediaciones de la Provincia de Coahuila enttre los Yndios Barbaros que yattenia asu debocion.

Sabida assi la enttrada delos Franceses a dicha Bahia passo aella de orden deestte Govierno con cien hombres el Governador de Coahuila Alonzo de Leon, que hablo arruinado dicho Precidio, muerttos los Franceses de su guarnicion, y arrojados los pelttrechos por aquellos Yndios Barbaros, Buscaronle dos de cinco Franceses quese manttenian entre los Yndios Texas, y vueltto a Coahuila los embio a Mexico imformando bien de aquellas tierras y de los Yndios Genttiles para su reducion.

Fue embiado segunda vez, año de seiscienttos y noventa, el mismo Governador Alonzo de Leon con ciento y dies soldados, y algunos Religiosos que esttablosieron en Texas la Mission de Francisco donde se quedaron los Missioneros con pocos soldados para que las liberttades deesttos no indispusiesion a los Indios. Notticiado su Magesttad de la empressa mando en Reales Cedulas de veintte y siete de Mayo, y veintte de Septtiembre de seiscienttos y noventta a fomenttase la pacificacion y reducion de aquella Provincia como ttan importtantte al resguardo delas demas deesttos Dominios. Passo a este fin el año de seiscienttos noventta y uno Don Domingo Theran de los Rios nombrado para ello Governador de Coahuila y texas, con dos mill y quinienttos pesos de sueldo. Llebo en su compania cinquentta soldados a quattrosienttos pesos cada uno, cattorce Religiosos Franciscanos sacerdottes, y siette Legos para poner tres Missiones en Texas, quattro en los Candadachos y una en el Rio de Guadalupe loquese aprobo despues en Real Cedula de treinta de Diziembre de seiscienttos noventta y dos, mandando se conttinuasen dichas converciones con ttoda Eficacia.

Reconocio Theran los Candadachos, y ser navegable su Rio, fundaronse las Missiones; pero duraron poco, por haver sobrevenido faltta de Coseechas, haverse muertto los Ganados, y exasperadose los Yndios vexados de los soldados; y assi el año de seiscienttos noventta y ttres se salieron ttodos los Religiosos desamparandolo ttodo. Dada quentta deello aestte Superior Govierno se resolbio en junta de Once de Marzo de seiscienttos noventta y quatro, se sobre seyese en las Providencias de aquella pacificacion hastta que el tiempo ofresiese mejor oporttunidad y se dio quentta asu Magesttad en dicho mes de Marzo quedando assi frustradas ttodas las enttradas referidas y sus crecidos gasttos.

Por Agosto de settesienttos cattorce llego al enunciado Precidio del Rio grande en Coahuila Don Luis de San Denis y don Medar Jalet con ottros dos Franceses; y trahidos à Mexico de Orden del Excelentissimo Señor Virrey Duque de Linares exivio aqui San Denis Pattentte del Governador de la Mobila con fecha de Septtiembre del año de trece, para que viniese cen veintte y quattro hombres a Texas, y comprase alli Bueyes, Cavallos y ottros Ganadas para la Colonia de la Luciana suponiendo se manttenian en Texas nuesttras Missiones. Declaro S^{n} Denis, que havian venido en una Piragua desde la Mobila hastta Nachittos, donde havian desembarcado, y que llegados a Texas, y no en conttrado alli alos Españoles, se havian vueltto los soldados Franceses, que dandose solo quattro en los Texas, y que con los ottros tres hávia pasado hastta dicho Precidio del Rio Grande. Expresso tambien que los Yndios Texas deceaban, volbiesen los Missioneros Españoles.

Vistto todo por su excelencia en Juntta de veintte y dos de Agostto del año de settesienttos y quince se despacho a Don Domingo Ramon con veintte y cinco soldados algunos Missioneros, y demas apresttos para que resttablesiese en Texas las Missiones; y fue de conducttor el mismo Frances San Denis. Restablesieronse con efectto las Misiones en Texas y se fundaron ottras de nuevo en los Adays. siete leguas mas aca de Nachitoos adonde passo Ramon y vio el Fuertte que en una Ysletta de aquel Rio Colorado o Roxo tenian los Franceses con treinta hombres, esperando ottros cinquentta para alli, y para los Candadachos. En conttrose en Texas Pano azul, Escopettas, Avalorios, y ottros Generos, que los Yndios havian havido de los Franceses; y se supo que desde el año de dies y seis esttavan ya estos poblados en los Candadachos, y Nochittoos.

Haviase casado el Frances San Denis con una sobrina de dicho commandantte Ramon; y ofreciendo volbeerse a vibir con los Españoles passa attraheer de la Mobila los bienes que alli tenia. Traxolos con efectto en cattorce fardillos; pero fue denunciado que havia trahido crecida por cion de comercio ilicitto en quattro Fragattas por el Rio Nachitoos. Denunciosele tambien queera mui familiar de los Yndios Texas, entre quienes havia esttado por temporadas, y algunas de quattro meses; que savia su lengua, y les era mui gratto. Aumentto conttra el los sospechas el aviso que por enttonces dio el Governador de Panzacola de que los Franceses que el ano detrece havian salido de la Mobila volbieron aella con mucho ganado, publicando havian penetrado hastta Coahuila. En fuerza de esttas sospechas el Excelenttissimo Señor Virrey Marques de Valero (que se hallava recien enttrado en el Govierno) hiso traher preso a Sn Denis encargando esttrechamente la averiquacion desu ilicitto comercio; pero solo se en conttraron los cattorse fardillos. Malogro se assi la quedada de un ttan gran practtico de ttodos aquellos Payzes, y sus natturales, qual era dicho Frances San Denis, querido y esttimado de los Yndios que facilittaria mucho su reduccion y conver sion como lo representtaban los Missioneros, pidiendo se les remittiesse.

Clamaban el comandantte Ramon y los Missioneros por socorros de gentte y apresttos para su subsisttencia en aquellas disttancias por lo que el Excelenttisimo Señor Marques de Valero nombro Governador de Coahuila y Texas al Sargentto mayor Don Marttin de Alarcon Cavallero del Orden de Santtiago para que pasase con sinquentta soldados maesttros de Carpintteria, Albañileria y Herreria Ganados, y demas Apresttos a poblar en dicha Provincia de Texas. Enttro a principios del año de settesienttos dies y ocho; pero luego se quexaron los Missioneros de que no havia llevado completto el numero de soldados que la Gentte era innuttil, y las Providencias poco arregladas. Al mismo tiempo pidio Alarcon dinero apresttos y ottros cientto settentta y cinco soldados, y haviendo sele negado hizo renuncia del Govierno la que le fue admittida.

Rotta la Guerra enttre España y Francia invadieron los Franceses a Pansacola en dies inueve de Mayo de settesientos y dies inueve y aottro tal dia del siguientte (dia digo) Junio por invacion, o amenaza del expresado Don Luis de San denis commandantte queera, (yes oy) del dicho Precidio Frances de San Juan Baupttistta de Nachittoos se rettiraron nuesttras Miciones de Adays, y Texas al Precidio de San Anttonio de Bejar. Para resttableserlas, paso de Orden de dicho Excelenttissimo Señor Virrey Marques de Valero el Marques de San Miguel de Aguayo con nombramientto de Governador de aquella Provincia, y dela de Coahuila. Llevo los Missioneros que se havian rettirado à San Anttonio, y quinienttos monttados divididos en ocho compañias. Camino hastta los Adayz sin opcion alguna de Franceses mantteniendose esttos en dichos sus Precidios de Candadachos y Nachittoos.

Notticiado su Magesttad de la preparada expedicion mando en Real Cedula de seis de Mayo de settesienttos veintte y uno no se hisiese Guerra a los Franceses recobrada que fuese dicha Provincia de Texas, la que se forttificase, y especialmentte la Bahia del Espirittu Santto con los Precidios combenienttes. Resttablicio el Marques las ttres Missiones de los Adays, y erigio alli el ya nombrado Precidio de nuesttra Señora del Pilar siette leguas mas aca del de Nachittoos, y en el mismo camino. Puso ottro Precidio, y resttittuyo ottras tres Missiones en el parajo llamado propriamentte Texas, queda el nombre attoda la Provincia, y estta como on su medio cientto settentta y dos leguas adelantte del de San Anttonio sesentta leguas anttes tambien del Frances de Nachittoos y treintta del de Caudadachos, quees assi mismo de Franceses.

Esttablecio ottro Precidio con nombre de Nuesttra Señora de Loretto en dicha Bahia del Espirittu Santto, o San Bernardo, y en el sittio mismo que havian tenido el suyo de San Luiz los Franceses inttroducidos por dicho Robertto Cavalier de la Sala. Congrego el Marques ottra Mision de Yndios al abrigo de dicho Precidio; quees el que va referido se intterno despues attreintta leguas del de San Anttonio de Vejar; y oy por miedo de los Apaches se vaja a el para yr a los Adays. Mejoro el Precidio de San Anttonio de Sittio colocandolo enttre los Rios de San Anttonio y San Pedro con sus dos Misiones a quese agregaron despues ottras ttres venidas de dicho paraje de Texas. Dejo en dichos quattro Precidios Doscienttos sesentta y ocho soldados los cientto en los Adays; veintte y cinco en Texas; noventta en la Bahia; y cinquentta y ttres en San Anttonio de Bejar. Ocupo en ttodo lo referido (siu los preparattivos) desde Noviembre de settesienttos veintte hastta Mayo de settesienttos veintte y dos.

Por Reales Cedulas de dies de Mayo de settesienttos veintte y nueve mando su Magesttad viniessen quattro sienttas familias de Canarias (de Dies en dies, o de doce en Doce) en Rexistros a la Havana, de donde por Veracruz se transporttasen a Tejas y alli se les manttubiese un año de Real Hacienda. Nohan venido hastta ahora sino Diez de a cinco Personas, queso condujeron a Texas en Junio de Settesienttos y treintta con no pocos costtos y molesttias; y agregadas ottras familias depor aca sefundola referida Villa de San Fernando, quees la unica Poblacion de Españoles entan dilattada Provincia, y recomendable Fronttera. Menos costtoso, y molesttamentte se transporttarian dichas familias viniendo de la Havana a dicha Bahia del Espirittu Santto pero como se halla despoblada, seria presiso adelanttar alli apresttos para la conducion a los Pueblos destinados, y que en esttos los hubiese para las vibiendas Labores Ganados y demas conducentte.

Las Poblaciones convendrian fuesen consecuttivas, y poco distanttes unas de ottras para poder socorrerse en las invaciones de Yndios enemigos, y ttraficar sus fructos arttefacttos, y demas necessario, vendiendo las sembras, y comprando sus menestteres. Queda ya dicha la abundancia de Pesca, Casa, Arboles y Frutas de aquel terreno, naturalmentte ferttil aun sui el rriego, que facilitaria la industtria, como ttambien el usso de aquellos Rios y Bahia del Espiritu Santto, para el transportte de fructtos ala Havana, Vera cruz, y ottros Puerttos deestte Reyno. Hallanse alli inculttas tan pingues tierras viendose en lo intternado sobre un cortto pedazo frequentes lasttimosos pleyttos; y muchas familias pobres por no ttener aque dedicarse, ni lo presiso para conducirse à aquellas disttancias, quesiendo Barrera de Franceses y resguardo delas demas provincias es mui importtantte su Pueble.

Tres Milliones de pesos llevara gasttados la Real Hacienda en las referidas enttradas, Precidios, y Missiones de dicha Provincia de Texas, y mas de ottros sesentta y tres mill pesos es el gravamen a annual de su manuttencion teniendo hoy menos pueble, que el referido ano de settesienttos veintte y dos; pues para los pocos vezinos augmenttados de la Villa de San Fernando se reformaron de aquellos Precidios (por su nuevo reglamentto de Abril de settesienttos veintte y nueve) el capitan y los veintte y cinco soldados del de dicho parage del nombrado Texas; quarentta plazas del delos Adayz; cinquentta del de la Bahia y dies del de San Anttonio de Bejar que son por ttodos cientto y ttreintta y seis hombres, Jamas se exonerara la Real Hazienda de dicho corrientte annual gravamen y mucho menos podra esperar algun frutto de dicha Provincia por medio de los ttres Precidios, que hoy mantiene; como en los mas antiquos de ottras lo ensiña assi la experiencia. Quasi todos se sittuaron en sus principios con poca o ninguna attencion a Poblaciones en parajes poco commodos para ellas, debiendo ser estte su principal fin.

Una legua adelantte del Precidio de los Adayz por la partte superior hay una laguna[*] del mismo nombre que boguea dies leguas destta quattro del Precidio Frances de Nachittoos, y la attraviesa el Rio Candadachos, yendo ajunttarsse con el referido Colorado o Rojo. Nottiene dicho Precidio de los Adays (siendo Capittal de aquella Provincia) mas que un cortto ojo de Agua, escaso aun para los Ganados, y Cavallada de la Guarnicion, y sintterreno a proposito para Semillas, las que compran aquellos Precidiales a los Franceses de Nachittoos. De orden de estta Capitania General, se busco paraje en que mejorar dicho Precidio, y no se hallo enttoda aquella circumferencia vexisttrada por quince dias; pero en menos tiempo lo hallarian a casso ottros mas intteresanttes Pobladores.

Apenas gozan aquellos y demas Precidiales cien pesos de los quattro cientos asignados regularmentte acada uno de sueldo, pues aunque por dicho Nuevo reglamento estan Arancelados los precios de los generos en que les pagan los Governadores y Capittanes sacan esttos, y sus corresponsales (que les remiten las factturas de Mexico) crecidas ganancias que reporttan los soldados, y jugando lo poco que les queda viben siempre adendados, y muchas veces sui armas Cavallos, y demas apresttos para las funciones y hechos puros criados de los commandanttes. Trescienttos sesentta y ocho mill quinienttos noventta pesos annuales paga su Magesttad por esttos veintte y tres Precidios intternos; de que hay dos en la Ysla de California quattro en Sonora uno en el Nayarit, seis en la Nueva Viscaya dos en el Nuevo Mexico, dos en el Nuevo Reyno de Leon tres en Coahuila, y los ottros tres en la Provincia de Texas, importtan ottra gran summa los exttipendios de los Religiosos Missioneros assi de dichas Provincias como ttambien delas de Tampico Sierra gorda y Rio Verde.

Son mui anttiquos los mas de dichos Precidios, y Missiones sin apariencia alguna de que pueda liberttarse desu gravamen en muchós años la Real Hacienda lo grarsase acassa si en lugar de Precidiales se reclutasen por algun detterminado ttiempo (de ocho o dies años) y con los mismos sueldos suficienttes Pobladores casados y del mayor numero de hijos adelantta doseles lo correspondientte de dichos sueldos para su reducion, Aperos y Armas que hubiesen de manttener siempre y concediendose les lo prevenido en las Leyes del Tittulo cinco libro quartto de Yndias. Passados assi los ocho o dies años de la combencion quedavan ya esttablecidas aquellas Poblaciones y cesava el gravamen de la Real Hacienda para poder comberttirlo en ottras con que ordenada y successivamentte se poblasen las frontteras y biniese a discargarseentteramentte con el tiempo la Real Hacienda resguardandose y haciendose uttiles las Provincias cessarian tambien las Missiones pasando a Docttrinas y Curattos pues ala vistta y con el exemplo de los Españoles (y sin las vejaciones liberttades y excessos de los soldados) se docilittarian y aplicarian mas prestto aquellos Yndios.

Muchos de los Precidiales no son Españoles sino de ottras imferiores calidades y regularmentte viciosos y mal enttrettenidos por lo que pudieran dañar mas que aprovechar, Poblaciones suyas en aquellas distancias. Por el medio propuestto se recluttarian solo pobladores Españoles que no falttarian en esttas Provincias, y por el conocimientto que tienen de los Yndios, y del Regional usso, y culttivo de las Tierras serian mas apropositto, que los Ysleños de Canarias, y menos costtoso, y molestto su transportte. Tampoco falttarian sugettos de comfianza que tomasen por assientto esttas poblaciones, y el solicittar los vezinos sacando de las cuidades y especialmentte deestta cortte algunas dettanttas familias pobres y mal aplicadas que solo sirven de gravamen en la Republica.

Aunque la Ley dies y siette tittulo uno libro quattro de Yndias manda que ningun descubrimientto, nueva navegacion ni poblacion sehaga a costta de la Real Hacienda ni gastten de ella cosa alguna en estto los que governaren aunque tingan Poderes e insttrucciones para hacer descubrimienttos y Navegaciones sino lo tuvieren especial para que sea a costta de la Real Hacienda; pero ya se vee que en la forma predicha no resulttarian gravamenes sino ahorros, y sobre ttodo la recomendable publica importtancia de las Poblaciones. Si el assumptto mereciere el superior agrado de V. excelencia podra tambien trattarlo con audiencia de los dos Señores Fiscales en juntta General de Señores Ministtros, y Personas practticas que puedan facilittar ottros medios mas congruentes y eficaces para la Poblacion y resguardo de dichas Provincias y Frontteras, y en especial la de Texas mucho mas attendible por serlo de una Nacion tan numerosa, Polittica dominantte y acttiba qual es la Francesa.

Recojiendo ya el hilo delas expediciones de Tejas para los punttos del Ymforme pedido por la Real Cedula de Quinse de Julio de settesienttos quarentta, queestta por caveza de estte expedientte se halla que al Marques de San Miguel de Aguayo succedio en el Govierno de aquella Provincia su Thenientte General Don Fernando Perez de Almazan. Siguiosele Don Melchor de Mediavilla, y aestte Don Juan Anttonio Busttillos y Cevallos. Por su renuncia enttro en dicho Govierno el Capittan Don Manuel de Sandoval, que acavaba de servir el de Coahuila con que havia pasado a estte Reyno el año de Settesienttos veintte o ocho despues de haver servido en los Reales exercittos veinte años y siete meses de cadette, oficial y Thenientte de Capittan de Granaderos. Apocesionose a principios del año de settesienttos treinta y quattro, y recidio el mayor tiempo en dicho Precidio de San Anttonio de Bejar para reparar mejor aquellas frequenttes hosttilidades de los inttrepidos Barbaros Apaches, prevenido assi por el excelenttissimo Señor Virrey Marques de Cassafuertte.

Desde el sittado año de settesienttos dies, y seis sittuaron los Franceses dicho su precidio de Nachittoos de la partte de aca de dicho Rio Colorado en una Ysletta formada solo en tiempo de abenidas de un brazo del mismo Rio. Ala partte de aca de estte Braso, tenian los Franceses tambien desde el principio, algunas cassas, Ranchos, Huerttas y sembrados, y un corral para la cavallada de su comandantte Don Luis de Sandenis esttendiendo su goce hastta el Arroyo hondo y paraje llamado la gran monttaña que media las siette leguas de enttre los dos Precidios de Adays y de Nachittoos

Por esttar bajar inundable y humeda dicha Yaleta a por ottros desttinos, ó mottibos comensaron a mudar los Franceses en fines de setesienttos treintta y cinco dicho su Precidio a lo que anttes era la cassa de uno de dichos Franceses disttantte de la Yaletta un ttiro de fucil segun los testtigos, o un ttercio de Legua segun el mismo commandantte Frances en sus carttas Respuesttas constanttes de auttos.

Prosiguieron los Franceses con eficacia dicha Translacion di ciendo era de orden de la cortte de Paris dada el Governador de la Luciana Don Juan Baupttistta Biembille. Hallavase Sandoval en dicho Precidio de San Anttonio de Vejar docienttas y quarentta leguas mas aca de dicha Frontera de los Adays. Tenia de su Thenientte General en ella al Alferez Don Joseph Gonzales, quien en cartta de doce de Noviembre de dicho año de treintta y cinco le aviso ttodo lo expressado. Respondiole Sandoval en veintte y nueve del mismo que resisttiese dicha translacion requiriendo por ttres veces al expressado commandante Frances Sandenis para quien le embio carta sobrelo mismo, y duraron los requerimienttos y recombenciones hastta fines de Agostto de settecienttos treintta y seis.

Nottenia Sandoval documentto alguno de aquellos Limittes y referidas anttescedenttes expediciones, y assi solo por verbales notticias arquia: que dichos Alonzo de Leon, Don Domingo Theran, y Domingo Ramon precedieron a los Franceses en la Ocupacion de aquel terreno: que desde enttonces y siempre despues se havia tenido el Rio Colorado por linde enttrelas dos Coronas poseyendo la de España todo lo de la partte de aca como se havia berificado en algunos expressos acaesimienttos: que en caso de alguna duda devia darse quentta a los Soberanos y esperar su resolucion suspendiendose en intterin los Franceses pues delo conttrario se necessitaria a resisttir los con las Armas.

El commandantte Frances Don Luis de Sandenis Cavallero del orden de San Luis Oponia: que los Franceses fueron los primeros descubridores en el referido año de seiscienttos ochentta y cinco: que en el de settesienttos veintte y uno erigio dicho Marques de San Miguel de Aguayo nuesttro Precidio de los Adays, teniendo mucho anttes el suyo los Franceses en dicha Yaletta y de la parte de aca cassas Corrales, y ottras Poscesiones, que no resisttio el Marques, ni sus successores: que en el año de settesienttos dies y ocho esttubo, y se socarrio dicho Ramon del Precidio de Nachittoos: que al mismo Sandenis debieron los Españoles la postterior ocupacion de los Adays, y fundacion de sus Missiones: que los Franceses representtavan en aquel Dominio a los Yndios Nachittoos quienes no solo poseyan tierras de la partte de alla del Rio Colorado sino tambien de la partte de aca sin conttradicsion de los Yndios Adays aquienes succedieron los Españoles: que no esttavan dibididas las siette leguas de enttre ambos Precidios ni havia razon para que los Españoles se las apropiasen todas: que el obrava en virttud de ordenes desus superiores, y nopodia suspenderse, y que si fuese invadido con Armas se defenderia con ellas, y serian las consequencias de quentta del culpado.

Hallavase Sandoval prevenido de estte Superior Govierno para que celase, y embarasase a los Franceses por ttodos los medios posibles el quese exediessen de sus limittes pero que no rompiesse con ellos sin dar pumero quentta lo que executto con copia de las respuesttas del commandantte Frances Sandenis. Prohibiose tambien por vando en los Adays toda comunicacion, y ttrato con franceses paraque ni aun se les comprasen las semillas y basttimenttos acosttumbrados. Sin embargo conttinuaron los Franceses la Translacion de dicho su Precidio; que es fabricado de esttacas haciendo alli su Yglesia, y como catorce cassas para el Ministtro Eclesiastico, y de algunos Precidiales y vezinos.

Havia por enttonces venido de España Don Carlos de Franquis conttittulo de Coronel, y futtura del Govierno de Tlaxcala, que hallo preocupado. Confiriole en Intterin el Excelenttissimo Señor Arzovispo Virrey el de texas de quese aposcessiono en Septtiembre de setesienttos treintta y seis. Manifestto luego su Genio borrascoso, pettulantte, y precipittado a quese siguieron quejas de Escandalosos temerarias injurias con que tratta va a aquellos Religiosos Missioneros, de que quittava y abria los pliegos y carttas que salian de aquella Provincia de que sin faculttad alguna havia puestto en el Cepo con dos pares de grillos en la capittal de los Adays asu anttecesor Sandoval, quittadole sus papeles, y processadole despues criminalmentte sobre aparattadas demandas de aquellos Precidiales y sobre dicha translacion del Precidio Frances que abulttava sin limitte. Passo a Texas el Governador del Nuevo Reyno de Leon con Despacho deestta Capittania General de nueve de Julio de settesienttos treintta y siette y pesquiso a Franquis rettirandole antes al Precidio de San Juan Baupttistta del Rio grande en Coahuila que descertto viniendose aestta Cortte. Remitio dicho Governador a estta Capittania General la pezquisa en summaria y por nottener Franquis bienes de que pagar los tres mill qaattrosienttos y mas pesos de los Salarios y Costtos, sele sacaron a Sandoval y despues se dettermino dicha pezquisa.

El año de settesienttos treintta y ocha dio Sandoval su Residencia convistta delo conttra el processado por Franquis la que remittio el Juez sin detterminar a estta Capittania General, y con previa respuestta del Señor Fiscal Vedoya se senttenciaron en veintte y ocho de Marzo de settesienttos quarentta sus siette cargos. Absolviosele del ttercero, y quartto quintto y septtimo y se le multto en quinienttos pesos por el primero y segundo de no haver recidido en los Adays ni senttado en el Libro Real de filiaciones las Alttas y Vajas de aquellos Precidiales sin embargo de que alegava Sandoval que havia recidido en Bejar por dichas frequenttes hosttilidades de los Yndios Apaches, que desde alli no pudo senttar dichas Alttas, y Vajas en el libro de los Adays disttantte doscienttas quarentta leguas y las havia senttado en apunttes que demonstro por los que alcanzava à la Real Hacienda en un mill trescienttos quarentta y nueve pesos que no se le pagaron.

Por el sextto cargo de la translacion del Precidio Frances de Nachittoos previno la senttencia, que se recibiesen informaciones en estta Corte, y en los Adays sobre siera o no de Franceses el sittio aque esttos havian mudado dicho su Precidio, no reservando para en vistta de las resulttas la detterminacion del Cargo exivio Sandoval en Reales Caxas los quinienttos pesos de dicha multa, y a los dies y ocho de Julio del mismo año de settesienttos quarentta se libro el Despacho para que el Governador de Texas reciviese en los Adays dicha informasion.

Nose hiso Cargo a Sandoval de que en tiempo de su Govierno de Tejas estubiese incompletto el numero de los Religiosos Missioneros que paga su Magestad para la administtracion Espiritual de aquellos Yndios. Ymproperabalo assi Franquis en sus carttas y papeles; pero sin consttancia alguna formal de los Religiosos que havia, y devia haver por lo que se deesttimarian sus exprecsiones como apacionadas conttra los Religiosos.

Examinaronse aque en virttud de dicha senttencia seis ttesttigos de los que se hallaron con empleos en dicha expedission del Marques de San Miguel de Aguayo o esttubieron despues en los Adays, y de ttodos resultto, que dicho Paraje nombrado la gran Monttana (medio enttre los dos Precidios de Adays y Nachittoos) se havia tenido siempre por termino dibisorio enttre las dos Coronas, y no dicho Rio Colorado de cuya vanda de aca tenian los Franceses cassas, y ottras poscessiones exttendiendose hastta la gran Montana.

Aposessionado despues de estte Virreynatto en dies y siette de Agosto de settesienttos quarentta el excelenttissimo Señor Duque de la Conquestta presentto Franquis un difuso escritto con cino mottibo se volbio a acriminar dicho sextto Cargo de la Translacion del Precidio se prendio a Sandoval embargandole todos sus papeles en dies y siete del mes de Septtiembre mantteniendole en la Carcel con Guardia y Centtinela de vistta hastta dies y nueve de Henero de settesienttos quarentta yuno, que se le saltto vajo de Jura mentto digo fianza de Juzgado, y senttenciado por hallarse gravementte emferino sin que constte se hubiesse hecho conttra el ottra diligencia judicial alguna de Oficio ni de partte en todo el tiempo de dicha prission ni despues de ella.

Enttregados a Sandoval de su pedimentto ttodos los Auttos repitio sus defenzas en un largo escritto de veinte y seis de Octtubre de settesienttos quarentta y uno, y dada vistta al Señor Fiscal acttual Don Pedro de Vedoya, y Ossorio respondio en veintte y ocho de Noviembre del mismo año, que se devia declarar a Sandoval exemptto y libre del Cargo reservado sobre la muttacion de dicho Precidio Frances, pues ademas de que havia resulttado suficienttementte debilittado por diferentes testtigos de la Residencia sobre la pregaresta un decima del interrogattorio de la secretta, estava ya enttermente desttruido por la sittada informacion recivida en estta Cortte, y pidio se declarase no deverse proceder a otra diligencia absolviendole a mayor abundamientto, declarandole havel, y Capaz para los Empleos militares y Polítticos.

No hallandose aqui la imformacion recivida en los Adays, que se savia havia remitido aquel Governador se le libro Despacho para que remittiesse Testtimonio de ella, que vino en veintte y nueve de Mayo de settesienttos quarentta y dos. En el constta que no se recivio dicha imformacion en virtud del Despacho librado por la sittada senttencia sino en comformidad de cartta orden reservada de Excelenttissimo Señor Virrey Duque de la Conquestta su fecha dos de Septtiembre de settesienttos quarentta en que mando al Governador de Tejas averiguase segura y juridicamentte, que disttancia havia del Precidio de los Adays a los Franceses nuevamentte inttroducidos y passados de la vanda de aca del Rio, que cassas o fuertte tenian en que tiempo lo executtaron quien era Governador de Texas que diligencias hizo para impedir estte excesso o tolerancia en diminucion de los Dominios de su Magesttad si omittio las que devio hacer por que mottibos, y si desde entonces hubo passo libre a los Franceses ó deesttos a nos ottros por que razon y si hubo alguna negociasion de comercio ilicitto, y que concluyenttementte diesse todas las notticias, y lucis mas fundamenttadas que desentrañasen lo referido despachandolo con Correo y con la posible brevedad.

Recivio dicha Cartta el Governador en los Adays, a ocho de Noviembre del referido año de settesienttos quarentta examino luego a Don Juan Anttonio Amorin Thenientte reformado: Manuel Anttonio de Losoya Sargentto Don Phelipe Muños de Mora Alferez Reformado: Matheo Anttonio de Ybarbu Cavo de Esquadra; Phelipe de Sierra soldado y Don Joseph Gonzales acttual Alferez todos Precidiales anttiguos de los Adays. Contexttaron en que la Tlanslacion del Precidio de Nachitoos fue en paraje reputtado por de los Franceses, y un ttiro de vala de dicha Yslетta en que antes esttava; que desde los principios tubieron casas los Franceses de la Vanda de aca desu Rio Colorado, esttimandose por linde de las dos Coronas el Paraje nombrado la gran Monttaña o el de Arroyo Hondo, que median la disttancia de entre los Precidios de Adays y Nachittoos que resisttio dicha translacion en la forma ya expressada, y que no hubo algun ilicitto Comercio.

Ocupado Sandoval en las Campañas de Vera cruz come Capittan de una de aquellas companias a donde vajo tambien Franquis pausso enttre tantto la expedicion de unos y ottros autos solicitto la Franquis por algunos punttos reservados en la detterminacion de su pesquisa, y V excelencia por Decretto de nueve de Diziembre de settesienttos quarenta y tres, comforme a dicttamen del Señor Oydor Don Domingo Trespalacios de cinco del mismo le absolvio en dichos punttos, y a Sandoval en el reservado de la Translacion del Precidio Frances comforme tambien a la cittada respuestta Fiscal de veintte y ocho de Noviembre de settesienttos quarentta y uno. Resisttio todavia Franquis por escrito de dies y seis de dicho Diziembre la absolucion de Sandoval, y V excelencia en Decretto de veintte y tres del mismo, con previo parecer del Señor Trespalacios impuso perpettuo silencio à Franquis. Pidio estte en ocho y trece do henero de estte año se le diese ttestimonio de ttodo el processo, y se le mando dar por Decretto de veintte y nueve del mismo despues de sacado el que se havia de remittir à su Magesttad lo que se hiciese vrebem entte como esttava prevenido repettidas veces. Quedan expendidos no solo los treintta quadernos del assumpto sino mas de ottros quarentta de las antteriores expediciones de Texas para mayor claridad del imforme pedido por su Magestad en sus Reales Ordenes sittadas. Todo se halla ya repettidamentte examinado, y Juzgado, por lo que parace exçusada y no necessaria la averiquacion del acttual Governador de Texas Thenientte Coronel Don Justto Boneo, lo que siendo asi del superior agrado de V excelencia mandara se le partticipe con copia de estte Dicttamen y del ulttimo Parrapho del de seis de Marzo de estte año, y que se le vaelba original el Duplicado de la Real Cedula que remittio que dando testtimonio en estte expediente sobre que, y demas encidenttementte expuestto providenciara V excelencia lo que mejor esttimare. Mexico Junio veintte de mil setesientos quarentta y quatro.

Otro si, respectto a estta quazi inteligibles los auttos del assumpto, que lo seran mas en Testimonio sino esttubiere ya sacado este para la remission mandada a su Magesttad, podra V. excelencia siendo de su Superior agrado, mandar se le remitta en intterin Testtimonio deestte quaderno, y del dicttamen del Audittor de dos del proximo pasado Mayo con los que se pue de venir en basttante conocimientto de ttodo el negocio fecho ut supra.

El Marques de Altamira.

Mexico y Julio quattro de mill settesienttos quarenta y quattro. Como pareco al Señor Audittor y saquen se luego los testtimonios. Señalado con la Rubrica de su Excelencia. Concerda con sus originales que quedan en los Auttos de la Mattheria y Oficio de Gov^{or} y Guerra de estte Reyno del Cargo de Don J'ph de Gorraez, que despacho con faculttad y permisso del Ex^{mo} Señor Virrey Gov^{or} y Capp^{n} Gral de estta Nueva Spaña; y paraque constte al Th^{e} de Coronel, y acttual Gov^{or} de la Prov^{a} de Texas D^{n} Justto Boneo, en virttud de lo mandado doy el presentte. Mexico Veintte y quattro de Julio mill sett^{os} quarentta y quattro.

Felix de Sandoval.

APPENDIX NO. II.

MEMOIR OF COLONEL ELLIS P. BEAN.

(WRITTEN BY HIMSELF, ABOUT THE YEAR 1816.)

NOTE.—In publishing this memoir, it is proper to state that Colonel BEAN was but poorly educated, and his long residence in Mexico had caused him almost to forget his own language. Hence it has become necessary to correct his manuscript, and to rewrite it. In doing this, great care has been taken to pre serve, as far as possible, his style and language.—EDITOR.

As fortune has now favored me, insomuch that I have returned to my native country, where all men rejoice in freedom and union, protected by the just laws of liberty, I shall let my countrymen know what has been my life since the year 1800.

I was born in the state of Tennessee, in the year 1783. I had a common education given me, and such as a frontier country could afford. At the age of seventeen years, I had a great desire to travel, and see other parts of the world. To see some foreign country was all my desire. My father said I was too young, and would not consent. But as the town of Natchez had fallen to the United States, and was a good market for the produce of Tennessee, he consented that I might bring to that country a boat-load of whiskey and flour; all of which being made ready in a few days, I started in company with a young man from the same place, by the name of John Word, who had some lading with me. About three hundred miles below Knoxville, in a place called the Muscle-shoals, I broke my boat in pieces on a rock, and lost all my cargo. I only saved a small trunk of clothes. My companion concluded then that he would return; but I would not, for I wished to see that country.

I knew that I had some relations in Natchez, and, although I had lost my cargo, I could get some money from them to return to my country again. So I resolved to continue my journey. Having at that time but five dollars in my pocket, I bid adieu to my companion, and got into a family boat that was coming to Natchez. After some days' travel, I landed at Natchez, where I at first saw no person that I knew. I was walking on the sand-beach, when a small boy came and asked me if that boat was from Tennessee. I told him it was. He then asked me if there was any man on board by the name of Bean. I told him that was my name. He said his mistress had told him that if there was any one on the boat of that name, he must come to the house with him. But I did not go with him; so in about half an hour came down an old lady, with her daughter. When I began to converse with her, I found her to be my aunt. She then told me she was very happy in seeing me, and that I must go and live with her. I went that night to her house. The next morning I wrote to an uncle of mine, that lived within twelve miles, to send for me. He sent me a horse and saddle, and I went to see him. I liked much better this place; but in about fifteen days I fell sick; and, after suffering very severely for a month, I began to get better.

In this time I got acquainted with a man by the name of Nolan, that had been for some years before trading with the Spaniards in San Antonio. He told me that he was going to make another voyage to that country in October, and entreated me to go along with him. I readily agreed to go, and stated it to my uncle. But he would not hear to it, and said that I should not go. A few days afterward my uncle and aunt were absent from home, and Nolan came by, with some young men, then on his voyage. I immediately saddled my horse and started, to make a voyage for three months; and when my relation came home in the evening, I was gone. We crossed the Mississippi at a place called the Walnut Hills, taking a west course for the Washita.*

Steering a west course, through the Mississippi swamp, for the

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* Before we left Natchez, Governor Sargent and Judge Bruin had called a court on the complaint of the Spanish consul Vidal; but, finding our passport, that we had from the commandant-general, Don Pedro de Nava, to be good, it was agreed by the court that Nolan should go. This Vidal wrote to the Spaniards at Washita to stop us; but it seems that cowardice prevented them from fighting.

Neon

Redfield Publisher
New York

Washita, we were about forty miles from the river, when we met about fifty Spaniards, mounted on horseback, and well armed. They had been sent by the commandant at Washita to stop us; but, though our number was only twenty-one, they were afraid to attack us. We asked them their business. They told us they were in pursuit of some Choctaw Indians, that had stolen some horses. This was false, for they were hunting for our party, though they were afraid to own it. They then passed us, and in a short time returned and passed us again, and went back to Washita, where they put themselves on guard that night, thinking we would go by that place. They had their cannons mounted to receive us; but we left the town to the south of us, and continued our journey still westwardly for the Red river, through a fine country. But there were no roads or inhabitants. Crossing the Washita river the next morning, and finding a large piece of rising ground, we encamped to kill some provisions, as deer were very plenty.

We then set out on our voyage, and prosecuted the same for Red river, but, before reaching it, Mordecai Richards, John Adams, and John King, got lost from our party while out hunting. We stopped and hunted for them several days, but could not find them. We supposed they would return to Natchez, which was a fact. There being now but eighteen of us, seven of whom were Spaniards, we continued our journey, and, after five days, came to Red river at the old Caddo town, where we built a raft and crossed, swimming our horses. In about four miles we came to some large prairies, where we found a large quantity of buffalo-meat and some Indians. These were called Twowokanaes. They were very friendly to us, and sold us some fresh horses, of which they had very fine ones.

In about six days' journey we came to Trinity river, and, crossing it, we found the big, open prairies of that country. We passed through the plains till we reached a spring, which we called the *Painted spring*, because a rock at the head of it was painted by the Camanche and Pawnee nations in a peace that was made there by these two nations. In the vast prairie there was no wood, or any other fuel than buffalo-dung, which lay dry in great quantities. But we found that the buffalo had removed, and were getting so scarce, that, in three days after passing the spring, we were forced, in order to sustain life, to eat the flesh of wild horses, which we found in great quantities. For about nine days we were compelled to eat horseflesh, when we arrived at a river called the Brasos. Here we found elk and deer plenty, some buffalo, and wild horses by thousands.

We built a pen, and caught about three hundred of those wild horses After some days, the Camanche nation came to see us. They were a party of about two hundred men, women, and children. We went with them to the south fork of Red river, to see their chief, by the name of Nicoroco, where we stayed with them a month. A number of them had arrows pointed, some with stone, and others with copper. This last they procure in its virgin state in some mountains that run from the river Missouri across the continent to the gulf of Mexico.

During our stay with this chief, four or five nations that were at peace with him came to see us, and we were great friends. We then thought of returning to our old camp, where we had caught our horses, and taking some more; for a great many of those we had taken had died, for want of being well taken care of.* . . . . In about five days we arrived at our old camp. Those Indians stayed with us but a few days, and then went on in search of buffalo.

These red men have no towns, but roam over these immense plains, carrying with them their tents and clothing made of buffalo-skins. They raise no corn, but depend alone on the chase. Once a year they meet with their head chief on the Salt fork of the Colorado river, where he causes all the fire to be extinguished, and then makes new fire for the new year; and the bands also severally change their hunting-grounds. This meeting takes place in the new moon in June. At the place where they meet are lakes of salt water, so covered with salt, that they can break up any quantity they want.

When they left, a party of them stole from us eleven head of horses. They were our gentle horses, and all we had for running wild horses; so that we were left unable to do anything. We concluded to pursue the robbers; but this was to be done on foot. Philip Nolan, Robert Ashley, Joseph Reed, David Fero, a negro man called Cæsar, and myself, were the volunteers of our small party. We pursued them nine days, and came upon them, encamped on a small creek. They did not see us till we were in fifty yards of them, when we went up in a friendly manner. There were but four men, and some women and children: the rest had gone out to kill buffalo. They were twelve men in number. I saw four of our horses close by, feeding. I pointed to them, and told them we had come for them, and that they must bring the others they had stolen,to us. An old man said the one who had stolen them had taken the others out hunting; that he would be in that evening; and that the rogue who stole them had but one eye, by which we could know him when he came. They gave us meat, of which they had a large quantity drying; and then we were glad to lie down and rest.

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* A few words of the old manuscript eaten off.

In the evening, as the old man said, One-Eye came up with our horses. We took him and tied him, the others saying nothing, and kept him tied till morning. His wife then gave us all our horses; and we took from the thief all the meat we could conveniently carry. We then told them all that there were but few of us, but we could whip twice their number, and they were of the same opinion. We then returned safely to our camp, and found all in readiness to run horses, and the pen in good repair. But we concluded to let our horses rest a few days before we began to run them, as we had travelled to our camp in four days.

In four days more it was our misfortune to be attacked by a hundred and fifty Spaniards sent by the commandant at Chihuahua. He was general-commandant of the five northeastern internal provinces, and called Don Nimesio de Salcedo. The troops that came were piloted by Indians from Nacogdoches that came with them. They surrounded our camp about one o'clock in the morning, on the 22d of March, 1801. They took the five Spaniards and one American that were guarding our horses, leaving but twelve of us, including Cæsar. We were all alarmed by the tramping of their horses; and, as day broke, without speaking a word, they commenced their fire. After about ten minutes, our gallant leader Nolan was slain by a musket-ball which hit him in the head. In a few minutes after they began to fire grape-shot at us: they had brought a small swivel on a mule. We had a pen that we had built of logs, to prevent the Indians from stealing from us. From this pen we returned their fire until about nine o'clock. We then had two men wounded and one killed. I told my companions we ought to charge on the cannon and take it. Two or three of them agreed to it, but the rest appeared unwilling. I told them it was at most but death; and if we stood still, all would doubtless be killed; that we must take the cannon, or retreat. It was agreed that we should retreat. Our number was eleven, of which two were wounded. The powder that we could not put in our horns was given to Cæsar to carry, while the rest were to make use of their arms. So we set out through a prairie, and shortly crossed a small creek. While we were defending ourselves, Cæsar stopped at the creek and surrendered himself with the ammunition to the enemy. Of the two wounded men, one stopped and gave himself up, the other came on with us. There were then nine of us that stood the fire of the enemy, on both sides of us, for a march of half a mile. We were so fortunate, that not a man of us got hurt, though the balls played around us like hail.

In our march we came to a deep ravine. Here we took refuge, and stopped some time. They then began to come too close to us, when we commenced firing afresh. They then retreated; and about three o'clock in the afternoon they hoisted a white flag, and (through an American that was with them) told us that the commander wanted us to return to our own country, and not remain there with the Indians. We quickly agreed to go as companions with them, but not to give up our guns. It was granted, and we went back and buried our gallant leader Nolan.

The next day we started in company with the Spanish soldiers for Nacogdoches. In our journey we had to cross the Trinity which we found running over its banks. My companions and I, in a short time, made a small canoe out of a dry cottonwood, which answered very well to carry the soldiers all over. Their arms and their commander were still on the west side. I told my companions that we had it in our power to throw all their guns in the river, take what ammunition we wanted, and return. Some of them were willing; others said it would be very wrong now we were to be sent home. These last were unfortunate men who put confidence in Spanish promises. These are a people in whom you should put no trust or confidence whatever.

In some days after we arrived at Nacogdoches, the commandant told us he was waiting for orders from Chihuahua to set us at liberty and send us home. We waited in this hope for about a month, when, instead of our liberty, we were seized and put in irons, and sent off under a strong guard to San Antonio. Here we lay in prison three months. Then we were started to Mexico, but were stopped at San Luis Potosi, where we were confined in prison one year and four months. By this time we were getting bare of clothes. I told them I was a shoemaker, and would be very thankful if they would permit me, in the daytime, to sit at the door of my prison, and work at my trade. This was granted to me, and also to young Charles King. We made some money; but, in a short time afterward, orders came that we should be sent to Chihuahua. This order was quickly obeyed; and we started on horseback, with heavy irons. Yet it was cheering to think that we were going to change our prisons, hoping that in some change we might be able, some day or other, to escape.

We came to a town called Saltillo, where we were delivered over to another officer, whose duty it was to conduct us to Chihuahua. This man treated us with more humanity than had been shown us before. He took off our irons, and let us ride all the way foot-loose, a distance of four hundred miles. And along the road, and at all the towns, we could look at places, and walk about and see the inhabitants. And we noticed that everywhere they were mixed with Indian, but of a kind and friendly disposition. They were all exceedingly kind to us, presenting us with fruits, clothes, and money; so that, by the time we reached Chihuahua, we began to think we would soon regain our liberty.

On our arrival in town we were put in prison, and, in five or six days, were tried. Then our irons were taken off, and we had the limits of the town to walk in during the day, and at night we had to come and sleep in the soldiers' barracks. During this time we received a quarter of a dollar a day for our provisions; but, as for clothing, there was no way provided to get any. Some of my companions got leave of the general to go to other towns to live, but I thought I would find out some way of making something. I gave myself out as a hatter. There was a gentleman who trusted me for whatever was necessary to carry on that business. I employed two Spanish hatters to work with me, for, in fact, I was no hatter at all. In about six months I had so raised my name, that no one would purchase hats except of the American. By this means I got a number of journeymen to work with me. I was clear of debt, and making from fifty to sixty dollars per week. I began to lay up money, with which to try to make my escape at a future day. I had gained the good will of all the principal men in that town, as well as the surrounding villages. I continued in this situation about four years, when I thought it was time to try to reach my native country.

I left my shop in the hands of a foreman, and obtained leave to visit another town forty miles distant, that I might better make my arrangements. When I arrived there, I purchased, through others, four horses, three guns, and as many braces of pistols. Here I was advised by my friends to join the catholic church, and to marry in the country—as they did not expect the general would ever agree to send us home, as we had come so far into the country. I put them off by promises, but was still making my arrangements to start for the United States: for it was not possible that I should forget my country, or resign myself to live under a tyranny after having enjoyed the liberty of my native land. My companions appeared to me to be reconciled and happy; excepting, however, one of them, by the name of Thomas House. He, like myself, was determined to see his native country, if possible. As I thought he was the only one I could get to go with me, I wrote to him. He answered me, saying he would meet me when called on, at any place appointed. A week after, having all things ready, and two Spanish soldiers, who agreed to desert and go with me, I wrote to my friend a second letter, to meet me on a certain day at an old church, from which we would set out on our journey for the United States. But, to my misfortune, my letter fell into the hands of another companion of mine, named Tony Waters, who was from Winchester, Virginia.

As soon as he got it, he broke it open and read it, and immediately reported it to the commanding officer of Chihuahua; thinking thus to ingratiate himself by selling his countrymen and companions. This was no sooner known, than orders came to the town where I was to put me in close confinement, which was done without any delay. After I was in the dungeon, I was put in the stocks for that day. The next day I was ironed with two pairs of strong irons. The third day I was taken out of my prison, and led to the governor, who asked me if I knew why I was imprisoned. I told him I did not. He then showed me my letter, and asked me if I had written it. I told him I had. He asked me if any of my companions were going. I said, no. He asked if the one to whom I had wrote had agreed to go. I said, no; but I wrote to invite him, and had received no answer, nor did I expect any, as the letter did not reach him. He asked me if I had arms. I told him that I had none—for my horses, arms, and other things, were kept at a different place from where I lived, and search had been made, and nothing found, as I had previously been informed.

I was returned to prison, and next morning orders came that I should not talk with any one. I then thought that my undertaking was at an end, inasmuch as I was forbidden to see or talk to any one. But, about twelve o'clock the next day, they brought into my prison one of my companions, who was at the point of death. As I before remarked, my companions had gone to different towns. He was taken sick at a place some distance off, and requested that he might see me before he died. As the catholic religion obliges them to comply in such cases, he was brought to me. But my poor, unfortunate countryman did not expect to find me ironed and in close confinement. When the prison-door was opened, he saw me, came in and sat down, and said to me: "I never thought to see you in this place; but, though it is a prison, I shall not leave you until I die, which I expect will be in a few days. Yet I shall die in the company of a countryman." He then laid himself down. The distress of my friend afflicted me more than ever, but I could not help either him or myself. I had yet a little money; with it I sent and got some wine; and, after a little while, a lady sent me some dinner, and I got him up, and he ate some.

This young man was named Joel Pearce, from North Carolina. Some time after, I asked him if he had not been told, before he came, that I was in prison. He said he knew nothing about it until he came to the town; and that the commandant told him I was a bad man, and was going to run away, for which reason I was put in prison. He said also that it was better for my companion to go to some house in the town, and not come to stay with me; for, as he had done nothing, he could stay where he pleased. My companion said, "No, I will go and stay with him." I told him also it would be better to go to a house of some of my friends, where he would be well treated, and, I hoped, recover. He said, no, he would die there, for he had no hope of recovering. He continued with me for five or six days in this situation, and, I perceived, was daily growing weaker. During this time, I forgot my prison, and thought only of my sick friend. By this time he was able to converse with me but little. In the height of our affliction, the justice of the town sent into our jail a big Indian, charged with murder. He brought with him a jew's-harp, and played on it all the time. This so distracted the head of my poor countryman, that I requested him, in a friendly manner, not to make that noise. He answered me that the harp was his own, and he would play when he pleased.

There was no great difference between us, for he had on one pair of irons, and I had two. I went up to him and snatched the jew's-harp from him, and broke the tongue out. He rose immediately, and we engaged; but in a few blows I was conqueror, and he fell down very quiet. My sick companion, when we began, tried to rise, but was so weak, that he fell back on his mat. He was full of joy, however, when he saw I had gained the victory. In three days after, he died, and was carried away to be buried. Then I was more distressed in mind than ever, thinking it would soon be my time to suffer the same fate.

In this situation I continued for three months, without any communication with the world. At the end of this time I was surprised to see my prison-door thrown open, my irons taken off, and myself turned loose to walk about the town as I before had done. I heard that my friend Thomas House, to whom I wrote the letter, was very ill. So I requested of the commandant permission to go to Chihuahua, where he was, to see him, which was granted. I saw that he was not in a situation to travel; and he told me to make my escape, as it was impossible that he should ever go.

In this town was my good friend Waters, who had broken open my letter. I had it in my power to have taken his life, and in a manner that would not be discovered; but, though he was a man of such meanness, I thought it not right to take his life without giving him a chance. I challenged him to fight me with equal arms, but he refused, and would not see me. I knew of a house to which he frequently resorted. I went there one day, having provided myself with a good stick. I met him there, and told him I must have some satisfaction. He began to beg off, but I gave him no time to excuse himself. I fell on him with my stick, and beat him severely, and left him with two women of the same house.* The next day he was able to crawl to the authorities and lodge his complaint; but the justice was my friend, and he did not succeed so well as he expected. The justice told him he might return thanks to God that I had left life in him, and to go from his presence. He insisted that he was not doing him justice, as I would, perhaps, at some other time, take his life. The justice sent him to jail for a month, because he said he did not treat him with justice.

There was nothing said to me about it. I passed away my time for about a week, and then asked leave of the general to let me go to New Mexico. I thought if I could get there, I could make my escape with the Camanche Indians by way of the Illinois. My request was granted, and I started.

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* The women of Mexico are angels of mercy to those in distress.—Ed.

I must inform my reader that we had passed five years, in all, in Mexico; that our cases in this time had gone to Spain; and had also been sent to the United States, and laid before Mr. Jefferson, at that time president—who said he knew nothing of us, and that we should be tried according to the Spanish laws.* This showed little humanity or feeling, thus to give us up to a nation more barbarous to her prisoners than the Algerines. But what can a poor prisoner expect, when the leading men of his country fail to see justice done him? If I had been brought to my country, I could have been happy under the severest punishment my crimes deserved. But I suppose that Mr. Jefferson was a great friend to the prince of Peace, who at that time commanded all Spain through the favor of his beloved queen. She first raised him from a soldier to a prince. But where there is love, favor may be expected by queens and commanders. As Mr. Jefferson did not know us, and had no expectation of being benefited by us, it was less trouble to say, "Hang them!" But as the Spaniards have no feeling for our distress, it would be better to hang us—which is a momentary pain—than to keep us in prison during our lives.

But I will return to my journey. I left my companion, and departed. Four days after I had set out, an express was sent after me, and I was again brought back and put in irons. The day after I arrived in Chihuahua, my companions began to come in, and were put in the same room with me, and ironed. They said this had all probably happened on account of my journey to New Mexico. I told them that all would be known in a few days; and, if it was on my account, I wanted to suffer, and not them.

In seven or eight days, while we were thinking what could be the cause of our being brought together, our door began to rattle, and two priests came in and asked us, in a friendly manner, how we all were. My companions answered very quickly, and asked them what was going to be done with us. During this time I pretended to be asleep. The parsons made answer that they did not know, but they had come for us to confess, if we wished our sins to be forgiven. Some of my companions were frightened, and said we would all be put to death. I then pretended to wake up, and asked them what was the news. They said that, from what those men had told them, we would all be put to death, and they thought the priests were sent to prepare us for it. I said they might prepare if they wished; but, as for myself, I wanted no priest to show me how to die, as I would do that without them: and perhaps it would be best for us, as we would then be at the end of our suffering. Some of them replied that I spoke at random; I said I only spoke for myself. So I lay down again; and some of them told the priests to come the next day. All our conversation that night was in view of our being put to death. I told them that we should trust to fate, and not fret ourselves about what we could not remedy. One of them said the bravest would be cast down to see his open grave before him. "But," said I, "if you find no way to escape that grave, is it not better to march up to it like a man, than to be dragged to it like one dead? It is enough for them to drag me to it when life is gone. The most cowardly, when under sentence of death, have marched up with great bravery. And, as for myself, if I must die, I mean not to disgrace my country." The reason I talked so was, that I did not believe they would put us to death.

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* Bean was doubtless told this by the Spaniards.—Ed.

Soon the next morning the priests returned, and David Fero asked them if we were to be put to death. They said they did not know—perhaps some might be. I then began to conclude it would be me, and all my companions thought the same thing. I, however, said nothing; for, as I had before talked of valor in such cases, it became necessary for me to support that character. The priests said we must confess all our sins to them, and we should be forgiven. As for myself, I had been taught that God knew all my crimes, and it was not worth while to relate them to the parsons. But some of my companions began to confess, and had their sins forgiven. When they asked me, I told them I must have four or five days to recollect all my sins—that they were so many, it was doubtful whether I could ever remember them all. The parsons advised me to begin, and God would enlighten me, and help me to remember them. I told them I could not that day, but perhaps by the next day I could remember some things. They then left us.

All that day the talk among us was as to who it would be. I told them I supposed, as I was the worst, it would be me; and, as my friend Tony Waters had been put in with us to share our fate, I thought, as he had broken open my letter, that if the thing went according to justice, and they hung the worst man, it must be him, for he was, without doubt, the greatest villain, and ought to have been dead some years ago. Waters sighed, but said nothing. The next day the parsons came again, and brought with them a colonel, who read to us the king's order—which was, that every fifth man was to be hung, for firing on the king's troops. But, as some were dead, there were but nine of us, and, out of the nine, but one had to die. This was to be decided by throwing dice on the head of a drum. Whoever threw lowest, was to be executed.

It was then agreed that the oldest must throw first. I was the youngest, and had to throw last. The first was blindfolded, and two dice put in a glass tumbler. He was led to the drum which was put in the room, and there cast the dice on the head of the drum. And so we went up, one by one, to cast the awful throw of life or death. All of my companions, except one, threw high: he threw four. As I was the last, all his hopes were that I should throw lower than he. As for my part, I was indifferent about it, for I had resigned myself to fortune. I took the glass in my hand, and gained the prize of life, for I threw five. My poor companion, who threw four, was led away from us, surrounded by the clergy, to be executed the next day. This was done in the presence of many sorrowful hearts that beheld it.*

The rest of us were returned back to prison, without any other notice; and we so remained three or four days, when orders came that some of us were to be sent away, and I was one of them. The next day the governor came and told us that I and four of my companions were to be sent to the South sea, to a place called Acapulco, and that we had first to go to Mexico.

The next morning horses were brought, and we started with a guard of twenty-five men, to guard five poor Americans, with two pairs of irons on each. The rest of our companions were set at liberty. Our journey to Mexico was nine hundred miles from Chihuahua. The officer commanding our guard favored us in giving us easy-going horses. The people, at every town through which we passed, would flock to see us, for they had never before seen an American so far in the interior. Of those that came to see us, some gave us money, and others sent us provisions. They were all mixed with Indian, and showed us real friendship, and seemed to have humanity in their hearts. The Spaniards were hard-hearted and barbarous, and seemed to have no other feeling than to make us as miserable as possible.

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* Colonel Bean does not inform us who was executed—perhaps for a good reason. The nine that cast lots were—E. P. Bean, David Fero, Tony Waters, Thomas House, Charles King, Robert Ashley, Joseph Reed, Cæsar, and one whose name is not given.—ED.

About two hundred miles from Mexico we came to a small town called Salamanca, where a number of people came flocking to see us. The place in which we stopped was a large square enclosed by houses and walls, so that we could either stay in our rooms, or walk about as we pleased. The stone-walls were so high, that we were considered safe.

Among those who came to see us was a lady, who directed her conversation to me. She asked me slyly if I wished to make my escape. I answered her that it was a thing impossible, and I had resigned myself to my fate. She said she would free me from those irons I wore, and immediately left me. By this time night had come on us. I asked a man, who did not sit far from me, the name of that young lady. He told me her name was Maria Baldonada; that she was the wife of a very rich man; that he was very old, and had not long been married to her. This brought me to study what she meant by telling me that she would free me. But this soon left my mind, and I moved to my mat and blanket, and lay down to rest myself. But crowds of people kept coming and going. In a short time after I had laid down, I saw this woman returning, in company with a man who had on a cloak. She went to where I had sat down, and asked another lady where the American was who had sat there. Hearing her make these inquiries, I raised up and spoke to her. She came and sat by me on my mat, and told me the man with the cloak on had brought files for cutting off my irons; that I must walk out in the square to a horse-stable, and he would cut them off: and then there was a man on the wall who would drop me a rope and pull me up to the top of the wall; that the same man would conduct me to where I should see her, and then I would be safe.

I could speak the Spanish language very well. I answered her that if I made my escape, my poor companions would perhaps suffer worse on my account, and it would be ungenerous in me to leave them. She said it would not be possible to get all out, but one she could; that she had a regard for me as soon as she saw me. "And," said she, "if I can be the cause of liberating you from your chains and confinement, I hope it will be the means of making you happy;

for I am sure it will make me happy to think that I have been the means of setting you free."—"Madam," I answered, "it is very true I should be happy in being thus freed, but unhappy in thinking that my companions would still suffer." She said, "You must take care of yourself, and let God take care of all."—"But, madam," said I, "I reckon when I reach Mexico, I shall get my liberty, and be sent home by way of Vera Cruz."—"You may think so," was her answer, "and not find it so; and when you think of this chance, you will, perhaps, remember me."

"But, madam," said I, "if I were to be turned loose here in the centre of your country, I could not escape without being taken again, and then my sufferings would be increased." She said, "I have horses and money, and you can have anything without exposing yourself to be retaken. I have several haciendas, in any of which you can stay without its being known."

By this time supper was ready, and I was called to eat. She said to me, "Now it is too late to do anything; but in the morning you can get your horse saddled, and come with a soldier to my house, which is three doors from this place."

Then I parted with the lady; but during all that night my mind was so much occupied with what I would have done had I been by myself, that I could not sleep. I thought of all that my companions might suffer if I were to take such a step. I also reflected that the lady was married; and if her husband should find out that she was the means of getting me away, it might make them unhappy, and be the cause of my being retaken.

In thoughts of this description I passed the night; and, as soon as day broke, I went and asked the officer to let a soldier saddle my horse, and go with me to a store, that I might buy a handkerchief. He ordered it to be done. Instead of going to the store, I went where the lady had directed me the night before. I fonnd her sitting by an open window. I alighted from my horse by placing my foot on the window-sill; and gave the soldier a dollar, and told him to go and buy some bitters—that I would wait for him.

So soon as the soldier left me, she said: "Now is the time for your freedom. I will send my servant to the end of the town with your horse; and when the soldier comes, I will tell him you mounted your horse, and took such a street. So, if he follows, he will find your horse, and not you, and be afraid to show himself again to his officer, but will desert. And I have a safe place to hide you, and will give the soldier money to make him desert, and you must know that I can do it, for they all love money, and have none."

I answered her, and said: "Madam, you are a married lady, and I should be a most unhappy man to receive such favors from one of your rank, and then be compelled to leave you without any hope of seeing you again. But if, by the king's order, I should get free, I could then come and spend my days in this town, where I should have the happiness of seeing you, and perhaps be sometimes in your company, if admissible."

"Sir," said she, "you need not think, because I am married, I am bound. I do not so consider it. About a year since, I was married to a man fifty-five years old, in order not to displease my father and mother. He is a man of great property; but I can venture to tell you I do not love him. He is not now in town, but is at some silver-mines he is working, and will be absent two weeks. Before he comes, I promise you to go with you to your country, and spend my days with you. Although you are a stranger, I have formed too good an opinion of you to suppose that, after leaving all to go with you to your country, you would then abandon me for any other lady, however fair. Though I am mixed with Indian blood, I would trust to your honor not to cast me off."

These words made a deep impression on my mind. Yet I was uneasy, as I expected every moment to see the soldier return. I told her I was sure of my freedom when I reached Mexico; that my friends had informed me they would write in my behalf, which raised my hopes; and that I could not leave my companions. For the next three years I repented that I did not take this lady's advice, as the reader will see further on in this book.

I waited some time for the soldier to come; and would not agree that my horse should be taken away, as she had desired. When she saw that I would not agree to it, she brought me a heavy package and a letter, and directed me to put them in my pocket, and not look at them till the end of that day's journey. While she was saying this, the soldier came up, and asked if it were not time for us to go. I told her if I was set at liberty, as I expected, in Mexico, I would return to that town without delay. The soldier then helped me on my horse, and I bid adieu to the lovely Maria Baldonada.

When I reached my company, all things were in readiness for our march, and we set out on our journey. We stopped that night at a place called Arcos; and as soon as we halted, being impatient to look into my package and letter, I sat down to examine them before the people of the village should crowd on us. In the package I found three Joes, in small gold pieces. The letter was as follows:—

"About three days since, the news reached this town that some Americans were coming on as prisoners. I was very desirous to see them; but it has been an unhappy time for me since I first saw you. I hope you will obtain your freedom in a short time, and not forget one who is not ashamed to own that the love she has for you is more than she can bear. Sir, perhaps you may ask how this can be, when you are bound in irons: you may think a woman crazy who could love one in that situation. Perhaps so; but when I first saw you, I was touched with compassion; then I found my heart distressed; and, when I came to examine myself, I found it to be in love.

"I can write no more. If you leave Mexico, you will let me know where you go, as it will give me some satisfaction.

"In this letter is a ring from my finger. I hope you will keep it in remembrance of your love. "MARIA BALDONADA."

After reading the letter, I went into the room where my companions were; but I was unhappy, and could not pass off the time as usual. The next morning we set out, and in a few days arrived in Mexico. Here I was cast into a prison-yard, in which there were about three hundred others, some of whom were negroes and Indians.

I remained here but a week, when I was taken to Acapulco. This is a seaport town, where vessels come once a year from the East Indies. It has a strong fortification. The castle is built of stone, and has about a hundred guns of the largest calibre. The walls of the fort are twelve feet thick.

When I arrived at this place, they called over our names; and, when I answered to mine, they told me to step to the front. I did so. They then directed me to follow an officer, which I also did, but slowly, as I had on two pairs of irons. The officer took me to the side of the castle, and, opening a small door, told me to go in. I did so; and, when the door was shut, I found myself between two stone walls, about three feet apart, and in a room seven feet long.

At the far end of the room I could just discern light through a small opening in the twelve-feet wall, which was grated with iron bars. In the door was another opening of three inches square, also grated. Looking through this last opening, I saw that there was a soldier at the door. I asked him what he had done with my companions. He said they were all put together in a large room. In the evening the officer came and opened the door, and brought me some old clothes I had left with my companions; also a mat for my bed, and some beef and bread, and a pot of water. I asked him why I was separated from my companions. He said it was because something was written from Chihuahua, to the effect that great care should be taken of me; but he could not tell why.

The next day, about nine o'clock, when the relief-guard came round, my prison-door was opened, and my irons searched. I then asked the officer if it was possible that I could be put with my companions. He said I could not, as the governor of that place had ordered that I should be kept by myself. I tried to content myself as well as I could, though there was but little happiness to be found here.

I remembered that Baron Trenck, when he was moved from his first prison to the second, thought how he should escape. So I began to think I should get free; but seeing the strength of the walls, and having nothing to work with, I concluded it was impossible for me ever to escape: and, should I succeed, I would have to travel three thousand miles through their country to get to the nearest part of the United States. As for the distance, I cared nothing about it, if I could only break through those walls.

In about ten days after I was put in there, a soldier on guard spoke very friendly to me. I asked him if he would sell me a small knife. He said he would give me one that night. Accordingly, at night, he slipped through the hole in the door the blade of a knife, for which I paid him a dollar. I began to work on the wall, but found it of stones of such large size, that I could do nothing. Still my spirits did not fail me, and I had a hope that I would make my escape in some way or other, though I could form no idea in what way it was to be done.

For about three months I was in this situation. Every day they gave me a pot of water, and some beef and bread. But I was not allowed to have any conversation with others.

This place lies in sixteen degrees of north latitude, and is very warm. There is here a lizard—which the Spaniards call *quija*—which is about nine or ten inches long and about three inches thick. It is as white as snow, and, if you hold it between you and the light, you may see the bones in its limbs and body. One day, as I was lying on my mat, I saw one of them, for the first time, on the wall. Watching him, I saw that he was trying to catch the flies that had come into the prison when the door was opened, to get out of the sun. I did not know whether he was poisonous or not, but I determined to feed him. So I caught some flies, and put them on the end of a straw I had pulled out of my mat; these I slipped up the wall to him, and found he would take them off the straw. This was my amusement for some days, when he became so gentle, that he would take the flies off my hand. Every morning, as he came down the wall, he would sing like a frog, by which means I had notice that he was coming. In about a week he was so gentle, that he did not leave me at night, but stayed with me all the time. Every day, when they would open the door to come and examine my irons, he would get frightened, and hide himself under my blanket. When the door was again shut, he would come out and stay with me. I found that he was sincerely my friend: in fact, he was my only companion and amusement.

In about eleven months after I had been put in this place, I found that some of my companions had been sick, and, as the soldier informed me, had been sent to the hospital. I asked him where the hospital was. He told me it was in the town, nearly a half-mile from the castle. I thought I would pretend to be sick too, and see if they would send me to the hospital—hoping I might thus find means to escape. I told the officer of the guard I was sick; and the doctor was sent for. As I heard the door opening, I struck my elbows against the bricks, which raised my pulse so high, the doctor thought I had a fever, and directed that I should be sent to the hospital. They sent an Indian, who carried me there on his back. When I got there, although I had two pairs of irons on me, they put my legs in the stocks. They consisted of two large, hard logs, having each two half-circular holes in it, so that the top one shut down on the other. I found that, with the irons and stocks, there was no chance of extricating myself. In addition to this, there were ten thousand *chinces* biting me day and night. So I resolved the next day to say that I was well, and return to my castle. But, in the evening, I was taken with a violent fever. I suppose it was caused by my removal from a place where there was no air, to one where there was too much.

It was about twenty days before I began to recover. In this time it had become very sickly in the town; and the hospital was so crowded, that my room was filled. There was a man laid on each side of me. One of them died in about three hours after he came, and the other that night. The next morning two more died close by me. I began to think that, in a few more days, it would be my time; but I still improved.

In all the time I had been in the hospital, my allowance was two ounces of bread in the morning, with some gruel; and the head of a fowl and some soup for dinner. As I began to recover, I had a great appetite, but my allowance was not increased. I had money, but was not allowed to purchase. One day a parson brought me a hen's head, as usual. As I was almost starved, I was in a very ill humor, and would have destroyed myself, but for the reflection that I should let Him take my life who gave it to me. I took the plate as he gave it to me, and asked him why it was that my share of meat every day was the head and neck. He answered me, in a very short manner, that I must eat that, or go to hell for more! I flew into such a passion, that I rose and threw my plate at him, and hit him on the head, and, as the priests in that country have their heads shaven, hurt him very much; and as I happened to be out of my stocks at that time, I sprang to my water-pot and threw that at him also, but unfortunately missed him. Being very weak, the effort to throw the pot with violence caused me to fall on my back; but I got up again as well as I could, and got back to the plank where I lay. In the spring I made, I had skinned my ankles with my irons. I had scarcely sat down, when the sergeant of the guard came in, and put my head in the stocks, for throwing at the friar, where I was kept for fifteen days. My only regret was, that I did not kill him; as they would then have taken my life, and put an end to my sufferings.

While my head was in the stocks, the chinces ate all the skin off my neck, for I could not help myself. When my head was taken out of the stocks, I told them I was well, and they might send me to the castle. The doctor had my irons taken off my legs, and in their place a chain of about fifteen pounds' weight was fastened to each leg. By wrapping them around my waist, I could walk very well, though I was weak.

I thought I would try to escape on the road to the castle, for there were but two soldiers guarding me, and they were armed only with sabres. I started off with them, and had got about three hundred yards from the hospital, when we came by a house on the outside of the town, having a large garden. In this house the woman sold a kind of small-beer. As I had money with me, I asked the soldiers if they would drink some. They quickly agreed to it. We went in the house, and called for some. She brought it out, and we drank it, and called for some more. I asked one of them to go with me into the garden, which he did. I walked with him to the back of the garden, and found a large bunch of pinks, which grow in that country as large as roses. I asked him to come and see those fine pinks. He came, and, in handing him one, with the same hand I caught him by the neck, presenting my knife-blade, which I had held ready in my other hand, and told him if he did not give up his sword, I would kill him. He quickly obeyed, and asked me what I meant. I told him I was going off, and, if he would go with me, there would be no danger of being retaken. He said he must do so, or he would be put in prison in my place. I saw, however, that he was unwilling. I then gave him a dollar, and started, telling him to go and buy the worth of it in bread for the journey, as we had no provisions; and that I would wait for him at the burying-ground outside of the town. So I left him, and went out at the back of the garden, and, before he could let the officer of the fort know it, I was safe in the woods.

By means of a steel I had to strike fire, I cut off my irons, and ascended the side of a mountain, so that I could see all the town and castle. I sat down in a shady grove, where the singing of birds and the thought of being at liberty so charmed me, that I was as happy as any monarch. The sweet-smelling blossoms, interwoven with the shade, formed for me a palace; and, though I had been starved in the hospital, I did not feel hungry, nor was I weak. I felt strong and happy, and sat in that pleasant shade till night.

I then made my way into the town, and went to a shop, where I supplied myself with bread, bacon, cheese, and a large gourd of brandy. As I was passing near the door of another shop, I heard two men speaking English in the house. As they came out, I spoke to them, and found that they were Irishmen, who belonged to a privateer, which had that day come into port from the city of Lima. I asked them what sort of a man their captain was, and if they thought I could talk to him. They said they would conduct me to the house, and ask him if he would be kind enough to have some conversation with me. They did so. He sent me word to come to his room; and when I went in, he asked me of what country I was. I told him I was an American. He could hardly believe me, as I spoke Spanish as well as he could. I told him I wanted to go in the brig with him, and that I had been a prisoner such a time. He said he would clear me from that place, but then we had no time to talk about it; that I must go away and take care of myself till the next night, and then go on board the brig and hide myself well: he would then sail, and I would be safe.

I went to the woods that night, and spent all the next day in listening to the songsters of the forest, being greatly pleased. When night came, I went where the sailors were to meet me, and found them waiting for me. They gave me sailors' clothes, and I went on board like a jolly tar, thinking I was safe. That night we broke the head out of a water-pipe, and at daybreak I took up my abode in it. There were about three hundred such pipes on board.

About ten o'clock next day a guard came and searched the vessel, and, as I was not to be found on board, they returned to the shore. The vessel was to sail in about two hours. There was on board an old Portuguese cook, who knew I was concealed, though he did not know where. The old wretch fell out with some of the Irish sailors, and went ashore, and told the governor I was hid on board the vessel; that he saw me, and heard them knocking on the hoops of a barrel. The poor Irishman was arrested, and told that I was a king's prisoner, and, if he did not show where I was, they would send him to prison. They frightened the poor coward so, that he told them I was on board, and he would tell where I was. They came with him on board, and he showed them the water-cask in which I was concealed. It was rolled out, and I was well tied, so that I could not move. I was then thrown from the vessel down into the boat, which bruised me badly, though no bones were broken. I was then landed and carried to the castle again, where my two pairs of irons were put on me, and I was placed again in my little cell. I consoled myself with the thought that I had enjoyed a few hours of liberty, and had heard the birds sing, and perhaps might hear them again.

After some reflections upon my hard fortune, my mind became easy, and I thought of my poor companion the lizard. As I had just come out of the light, it was so dark I could not see anything. The next day my lizard came down the wall, and, as soon as I saw him, I reached out my hand for him to come on it, but he was afraid to come into my hand as he had done before my departure. I gave him some boiled beef, and he ate it; but when I wanted to take him, he ran up the wall. It was four or five days before I could get him to know me; then he was as friendly as ever, and was the only companion I had.

One day I began to twist me a small string out of the palmetto of my mat. This was my work for four or five days, when I had a small cord about ten yards long. I laid it aside; and a short time afterward, I went to look out through the small hole in the thick wall. I saw a woman pass by—I called her. She stopped, and said, "Where are you?" I said: "You can't see me; I am a prisoner, and I want you to do me one favor." She asked me what it was. I told her to bring me some spirits. She said if she could get them to me, she would do it. I told her I had a string, and, if she would bring it, I would put out my string, so that she could tie it to the end, and I could pull it into my cell. I had yet some money, and threw some out at the hole, which she took and went on. I got a small piece of mortar out of the wall, and tied it to the end of the string, as a weight. I threw it out at the hole, and when I felt that it struck bottom outside, I tied it to my arm, and sat like a fisherman waiting for a bite. After some time, I felt my string move: then I heard the woman say, "Pull;" then she said, "I am going." So she left me pulling up my line, which I did with great caution. When it came in sight, I saw that it was a cow's bladder. As it was soft, I got it in with great ease, although the hole was small.

When I got it in, I took a drink, and put the bladder under my head. I lay for some time, when my door began to open. I took my bladder and put in my pot of water, and covered it with my old hat. It was an old priest, who had come out of curiosity to see if it was true that I had a gentle lizard. He asked to see it, and said the officers of the guard had told him of it. I called him Bill; he was in my bed. I took him in my hand and played with him. The old man observed that it was in the power of man to do anything, if he would but turn his attention to it. He then gave me some money, and left me.

I then took another drink, and lay down; and, though I found I was drunk, I took care to hide the bladder. I can truly say that, during the year and five months I stayed in this cell the last time, the hour I was drunk, and unconscious of everything, was the only happy time I saw.

One day when the officer came to search my irons, to see if they were good, I heard him tell the sergeant he must have some rocks blasted. The sergeant told him he had hands to bore the holes, but no one that understood charging them. I told them, quickly, that was nothing—that I could do it to great perfection. They went away, and I thought no more of it. In about three days, however, the sergeant came and told me the governor had given orders that I should go and blast those rocks, as I had said I knew how. "You see," said he, "that I have befriended you; and if you act well, perhaps you may gain more privileges. But I am sure you won't try to get away, as I have done this to get you out." I said, "No;" but I was determined not to lose an opportunity to escape, if possible: for I was constantly thinking of the chance I had lost at Salamanca, when the lady offered to free me. As soon as the sergeant told me this, I was sure I would escape, or be shot, for I was resolved to risk my life on it the very first chance.

So my irons were taken off, and a ten-foot chain placed on each foot. I wrapped them round my waist, and started with two soldiers to take care of me. At the point where I had to work, there were about forty prisoners, and only about twenty soldiers to guard them. On the second day I went out I got twenty-nine cartridges, and sent to buy me a brace of pistols, which cost me twenty-eight dollars. Of the money I brought from Chihuahua, I had yet left about one hundred and fifty dollars. I made my matches to blast the rock in the gallery of a house near by. I sent the woman that lived here, to purchase me twelve knives; which she did, and kept them in her house till I called for them.

That night I began to talk to some of the prisoners, and told them it was in our power to escape; and, if they said the word, it should be done. I was to wait till the next day for the answer of the chief one among the prisoners. The next morning, as we were going out, he came to me, and said some of them would go if I would give them notice. I told him that afternoon was the time; that I was determined to make a start, and if any one wanted to go, when they saw me take a basket of stones on my shoulder to where the prisoners were throwing dirt, they must be ready; that

I would give him twelve knives to distribute among them; that I should try to take a gun from a soldier, and all must do the same, and not to run until we had the soldiers running, which would be in less than ten minutes after we began. The pistols I was to get were to come at that time, as the man who was to bring them was to give them to me on the way.

So we got to the place. I went to the house, where I got my cartridges and the knives. The latter I gave to the man who was to give them to the prisoners. He put them in his basket; and, after a short time, he gave me the sign that he had distributed them. I arose and asked the corporal if I might carry some baskets of dirt, to exercise myself. He granted it. I started and filled my basket with broken stone, and went to a soldier. All the prisoners were waiting for me to begin. I asked the soldier to strike me some fire. As he was doing it, I took a stone out of my basket and struck him on the temple. He fell; I took his gun, dropped my basket of stones, and began to fire. Most of the prisoners were throwing stones; some were running. The soldiers all fled—there was not one that stood.

By this time most of the prisoners had started. There were but two guns taken besides mine. Seeing a reinforcement coming from the castle, and all the prisoners gone, except a few cowards that were afraid to go, I started off with an old Spaniard, who had come with us from Natchez. I saw that he ran very slow, and halted and fired, telling him to go on. He ran about fifty yards, and came back with his hat full of stones, to help me fight. The other prisoners were gone, but the Spaniard and I made them retreat. I then told him he must go, that I could escape; but if I left him behind, he would be taken. He then started, and I thought he was gone; for after I fired three rounds, and saw twenty-five soldiers advancing, I started, but in fifty yards more I met him. Said I, "Where are you going?"—"I have come to help my old friend," said he, "and have brought more stones." I told him there were too many soldiers, and we must go. By this time they fired at us. I exchanged shots with them, and the old Spaniard threw stones. The next fire, a shot broke his thigh-bone. He then said: "My thigh is broke—make your escape; but, before you go, shoot me, for I would rather be shot than taken." But, as I could not do this, I started, with the bullets singing around me, and finally escaped from them with my chains on.

After I ascended a mountain, I sat down, greatly fatigued with the race and battle. I felt so much distress for the loss of my old friend the Spaniard, that I forgot I had my chains to remove. I had come with him from Natchez, but had only been with him three days at Acapulco. He was the only one of my four companions from Natchez that would agree to take part with me in this enterprise.

After sitting awhile, I began to think of my chains. I had a razor and my old knife-blade: these I struck together and made saws, with which I removed my chains in a few moments. After this was done, I walked along the mountain, to listen if I could hear any of the prisoners taking off their irons; but I could hear nothing. I then sat down on a rock, regretting the death of my old friend. And, as I was thinking what I should do, and which way I should go—as I was alone—I saw a soldier coming up the mountain. I caught up my gun, and started to charge on him. He had only a sword. When he saw me, he said: "You must not shoot me, my friend. My name is Corral, who always promised to go with you; and, as I saw you had made your escape, I came in search of you to go with you." As he said this, I knew him, and told him I was happy of his company, for all were gone, and I was left alone.

We then sat down on a rock, to consider what was best, and what course we should take. It was impossible to travel through the woods, for the thorns and vines formed such a thicket, that, except it is in a path cut out, you can make no speed. By this time, night was coming on; and we went down the mountain, where I got water, for I had nearly given out for want of it. We then took a road for a small village called Cojucan, to the west of Acapulco. We travelled that night till my feet blistered, and the skin came off of them; for, until that night, I had not travelled any for two years. We stopped just at daybreak, in a thick wood, close by a cattle-ranche; and soon in the morning we saw a man coming through the woods, with a large gourd on his back. I called him, and he came to me. I asked him how far it was to Cojucan. He said it was nine miles. Thinking it best to make some arrangements with him for provisions, I told him I was a sailor, and had left the king's ship in Acapulco; that I wanted to go and live up on the coast, and not return to that ship any more. I told him we had money to pay him for all the favors he would do us; and, if he would bring us provisions to that or any other place he might select, I would pay him his own price: but that he must act like a man, and not tell any one he knew of such men. He said he was a poor man, but we might rely on him, and must go with him to a place where no one would go.

We started with him, and, after going about half a mile through thick brush and vines, he told us to stop there—that he was going to bring us that gourd full of cocoanut-beer. In a short time he returned, bringing the beer. I gave him some money, and he returned to his cabin; and, in about two hours, he came with provisions, and we took breakfast. His wife also came with him, and brought some oil and rags to put on my feet; and, although they were very painful, the thought of being free made me the happiest man in the world.

We stayed here three days, during which time the ranchero and his wife supplied us with fruits and provisions of all kinds. By this time my feet got so I thought I could continue my journey. My idea was, that, when we got some fifty or sixty miles farther along the coast, I would buy a jackass, as they are plenty in that country, and would answer to pack our provisions. Thus, in six months, I could reach the United States. When the good man brought us some fruit that evening, we told him we wished to start that night, and he must bring us some provisions for the journey, and pilot us to the town of Atoaca. He said he thought I had better wait till my feet were cured, as the distance was about fifty miles. As I told him I thought I could travel, he went home and returned just at dark with provisions, and we set out. My friend the soldier had a sword: I had only a stick; for, having lost the cock off my gun, I had given it to the Indian ranchero.

We then took the road to Acoacan, through which we had to pass to go to Atoaca. When we came near enough to hear the dogs barking in the town, I told the pilot it was best to stop there, and for him to go on to the town, and, if he met any guard, he was known by them, and they would not injure him; and he could tell them his wife was sick, and he was going after medicine. The soldier said that was all right, but, as the barking showed the town to be distant, we could all go together some nearer. The pilot agreed with him; so we went on some three hundred yards farther, when we suddenly saw ourselves surrounded by about seventy men, who rose up on both sides of us! They demanded of us to surrender.

The poor pilot sat down, and was taken. I spoke to the soldier and said, "Stand you close by me, and don't leave me, and we will escape." So we both charged—he with his sword, and I with my stick. As they had only swords and pikes, and no guns, we broke their ranks and went through together, and gained the thick woods.

After we had gone about half a mile, they being in pursuit of us, we came to a lake, about three hundred yards wide; and, notwithstanding such places are full of alligators, I plunged in, and the soldier followed. We waded a good distance, then swam a little, and then waded out to the flags and rushes. After hard work in getting through them, we got on dry ground, but in a great thicket of vines and thorns. We began to work through them as well as we could, without knowing what distance we were from any town or settlement.

Being fatigued, we stopped, and began to dry our clothes. My shoes were full of sand, and the skin not yet having grown on my feet, they gave me great pain. But I could get nothing to cure them in that place. It was just daybreak as we swam the lake, so we spent that day in the thicket. We cut down a cabbage-tree, and got the top out of it, which was all we had to eat.

The next morning we set out early, and worked through the forest till about sunset, when we heard a cock crowing at no great distance from us. We went in that direction, and came in sight of a small village, as we thought, though it was only the houses of some stock-keepers. I saw a pen that had some calves in it. I told the soldier we would retire back into the woods, and at night come back and kill a calf. He agreed to it, and we went back to the woods. We had eaten nothing that day but some fruit. We returned to the pen at night, but the calves were gone. So we passed that place that night, and went on to see if we could find a road leading in the direction we wished to go. We soon got into a path that seemed to lead in the right direction, and we followed it till daybreak.

By this time it was much larger and more frequently travelled. Continuing on after daylight, we met a man, and asked him the distance to the next house on the road. He said the next place was the town of Cacalutla, which was close by. We then concluded that our best way would be to conceal ourselves until night, and then pass by that village. We did so. The man we met was a constable, and returned back after we left the road, and raised two or three small villages. He had been informed of our escape the night before, and had orders to take us. We went into the bushes, and lay down and rested till evening, without having eaten anything; and, before night, we set out on our journey. We went through some old farms, and passed around the town of Cacalutla, and fell into a road which led in the direction we wished to travel. About ten o'clock at night, we came to a small creek. We crossed it, and, just as we rose on the other bank, about thirty men sprang up and ordered us to surrender. We both stuck together, as we had done before—I with my stick, and the soldier with his sword. But in the first charge, a person behind the soldier struck him with a cutlass and disabled his arm, so that he could not fight. He then ran. Some of them pursued him; the others surrounded me. My feet were so sore I could not run, so I was forced to fight. I broke through them by knocking one of them down with my stick. But I did not get more than forty yards, when I was surrounded again. I was determined to be killed before I would be taken; but one of them behind me hit me on the temple with a large stick, which knocked me senseless. When I came to myself, I was strongly tied, and saw my companion by me in the same condition.

We were carried back to the village, where a new guard took charge of us and carried us back to Cojucan. Here we found our poor friend the ranchero, who had brought us provisions in the woods. Here I was ironed and put in the stocks, and two soldiers left to guard us. I struck up a trade with the guard to turn us loose, and agreed to pay them forty dollars, which was about half the money I had. They agreed to it. I got one of them to buy me two old knives, which I struck together till I made saws of them. I then tried them on the lock of the stocks, and we saw that in a few minutes we could get loose.

We then waited only for night, to cut ourselves loose, and felt sure of our escape. But, to our great misfortune, just at dark, we saw twenty Indians coming up, armed with bows and arrows. One of the guard asked them what they had come for. They said they had been sent by the governor to guard the prisoners, and especially the American, who, if not well guarded, would make his escape. The first-named guard told them to go home, as he and his companion would take care of us. He said this, knowing, if we did not escape, he would lose twenty dollars. The Indians said, no, they must stay, or the governor would punish them.

So they put out two sentinels, and sat down. I now saw that all hope of escape was lost, and I resigned myself to my fate, knowing that I would be sent back to the castle the next day. I spent that night without closing my eyes. The next morning, early, horses were brought, and we were carried again to Acapulco. I was taken to the governor, who, as soon as he saw me, said: "Oh, Mr. Bean, you have tried again to escape, but we deceived you; and I will put it out of your power to try it the third time."

I replied: "Sir, I am a prisoner, and alone; but I do not fear what you can do to me; for if you take my life, you will at once free me from tyranny."

"Tyranny, did you say?" said he. "Look at your companions: they take the sun every day; they make no attempt to escape, and are something thought of."

I answered: "They are cowards, and do not love their freedom as I do; for every chance I get, I will use to regain my liberty."

"I will double your imprisonment," said he.

"I ask you no favors," I answered, "for, if I did, I would get none; so you can do just as you please."

He ordered them to take me back to the castle, and he would come there. I had not been long in the castle when the governor came. He ordered them to bring a large mulatto, and had me chained to him. We were put in a room where there were some twenty prisoners. That night one of the prisoners whispered to me, that the governor had told the mulatto, if he would take care of me, he would deduct a year of his time; and if I didn't obey him, he could whip me if he chose. I thanked him for the information.

This mulatto was very sulky, and said nothing to me. I was dubious that, from his great size, he would flog me; but I was determined to try him the first word he said to me. Three days after I had been chained to him, we were taken out into the yard of the castle to eat breakfast. As I went to reach to get my bread, he jerked the chain, and threw me down. Near by me was half a bull's skull, with one horn on it. I went back the length of my chain, got the skull, and struck him with it on the head, which knocked him down. I continued my blows; he bellowed, "Murder!" the guard came and took the skull from me. The mulatto begged to be let loose from me. The news soon reached the governor, who ordered him to be separated and me to be flogged. But the officer did not flog me. I had a wheel put on my neck, so large that I could not reach the rim of it. Of all the modes of punishment, this was new to me. I could not move with it. I was in this situation four hours, when it was taken off, and I was taken back to my little cell, with two pairs of irons on me.

Here I spent my time better. All was silent, and nothing to disturb me. I looked for my poor lizard, but he did not make his appearance. Two days after, he came down the wall; but he had got wild, and would not come to me. At last I caught him, and he became as gentle as usual.

The governor of the castle wrote to the viceroy that he could not be responsible for me, and I must be sent to another fort. The viceroy sent orders that I must be taken to the East Indies, to a place called Manilla, where the king of Spain had possessions. I was to be sent in the first ship that sailed for that place. When I heard the news, I was well pleased; for I thought that, in a new place, I might stand a chance to get with some nation of Indians on that island. I knew it was inhabited by savages, and hoped for some chance to escape among them. As there was no ship ready, I had to wait, and keep company with my lizard, which I had determined to take with me if I went.

I will relate the fate of the soldier who was taken at the same time with me. He was tried, and sentenced to ten years of slavery at Vera Cruz. My old friend the Spaniard, who had his thigh broken when I made my escape, died of the wound.

While I was waiting for a ship, a revolution took place in Mexico, who had declared her independence. It went on with great force. They were turning all the prisoners into soldiers, and, among the rest, my four companions. About a week after all the prisoners, except myself, had been made soldiers, a man came and asked me if I would help them fight, if he would take me out. I said I would. He went to the governor, and told him that, as I had been so venturesome in trying to escape, I would be a good soldier; and asked him to let me be taken out. This was granted; and I was brought out of my small room, my irons taken off, and a gun and sword given me.

I was then in a good fix for war. But yet the republican party was not less than three hundred miles distant. I did my duty well for fifteen days, until I had conversed with the soldiers on the subject of the revolution. They asked me what it meant. I told six or seven of them—such as I could trust—that it was a very great thing, and that all the natives of the country ought to join them; for the republicans intended to free their country from the king of Spain, and be the owners of their country themselves; that the Spaniards had taken it from them about three hundred years ago; that they intended to run all the Europeans out of the country, and then the natives would be generals and colonels, and all the riches would fall into their hands. Those to whom I said this were well pleased; but I charged them to say nothing about it to any person that would tell; and, if they said anything to any one, not to mention my name.

In about three days after, one of them came to me, and said that he wished to go and join the patriots, if I would go. I told him to go and see how many men he could get to join and take their guns; then to let me know, and I would tell him whether I would go. But he said I knew more about it than they did, and, if I did not go, they could not. I told him to get what men he could, and I would go.

I then went to my four companions that had come from Natches, and tried them. They told me I was crazy to talk about it, for, if it was found out, I would be hung. I told them it was all a joke, and we said no more about it. The next day my soldier* . . . . . cartridge-box . . . . I told him I would let them know when. So he left me. The next morning we had orders to embark, and land at a place five miles from Acapulco, called Marques. After we landed, Coseo, the commanding officer, called for volunteers to ascend the river, and find out where the rebel Morelos was. Six European Spaniards, one of my companions, named William Danlin, and myself, stepped to the front and offered our services. We received our orders, and started.

We went up the river about three miles, when we came to a house where there were a great many fowls. The Spaniards said they must have some. I told them that, while they were catching them, I would go on ahead, and look out for the enemy. They agreed to it. I soon saw a company of the patriot militia. I stepped to one side of the road, and they did not see me till they came up. They had done duty at the fort, and knew me. I spoke to them. They said they knew I would not fight against them, and were overjoyed to see me. I told them there were, at the house below, six Spaniards, and William Danlin, whom they knew; that they could go and take them. They did so, and not one escaped. One of them stayed back with me, and tied me fast, by agreement, so that they should see that I was a prisoner.

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* The worms have taken a line or so here.—Ed.

We were immediately taken to the camp of Morelos, where he had about one hundred and fifty men, and about twenty old broken guns. They told him who we were, and he said he wanted us to assist him in the struggle. I, for one, told him I was a republican, and that was what I had come for. He then pointed to the twenty old guns and a small swivel, and showed us about six pounds of powder, which (being asked by us) he said was all he had. He said he had about a pound of saltpetre and two pounds of sulphur, but none of his people knew how to make it into powder. I told him I could do it; and got some women to grind it on the rocks they ground corn on for bread, and by night it was all ready to dry.

We informed Morelos that there were with us, before our capture, about two hundred well-armed men; that they would perhaps go up the river the next day to hunt for us; and that if he would go to a certain place where the road ran near to a lake, and lay an ambuscade in the rocks, and fire on them, he might drive them back. Next morning, at daylight, Morelos and his men marched to the place designated, and fired on them before they knew he was there. He killed two of them, and they broke back.

That day I was drying the little powder I had made; and, seeing that we were in a bad fix to make headway, I told Morelos that, by going back, I could get seventy of the men on the king's side to desert and come with me. He said he would trust me, and directed me to go as if I had made my escape. As all that had been taken with me were confined except William Danlin and myself, I started with him that night, though he knew nothing of my plan. About ten o'clock the next day I got back to my old quarters (where I had suffered so long), with a view to take revenge for former sufferings. But if my plan had been discovered, I would not have lived two hours.

I was well received by the king's officer, and again supplied with arms, and a new suit of clothes, which came in good time, as I was almost naked. I was asked what force Morelos had. I told him about a thousand men, well armed. The king's officer concluded then not to attack him without a more respectable force. I told him this to stop him till I could arrange my plan.

In about ten days news came that a colonel, by the name of Parras, was advancing with about four hundred men, and that we were to meet him in the pass of the Sabano, — miles from where Morelos was encamped with his small army. We went, three hundred in number, and joined Colonel Parras. We were then seven hundred strong. In about ten days more, three hundred more men were to join us, and we were to attack Morelos with the whole force.

All this time I had sent no word to Morelos. Some of us were sent out to kill white cranes, to get feathers to distinguish our men, as they were militia, and had no uniforms. I strayed to a house, where I found two women, whose husbands were with Morelos. I sent word by them to him to send a confidential man to meet me at that house the next day, and he would hear from me. That night I spoke to the sergeant, who had before wished to go with me, to be ready when I called on him. He said he would. The next day, when I went out to kill more cranes, I went and met the man sent by Morelos, and told him to tell Morelos to send, the third night after that, all the men he had to an old house about half a mile from our camp. I then returned, and the arrangement was all made.

The night came. The seventy men, who had agreed to go over to the republicans, had managed to get on a picket-guard. About seven o'clock at night, I left the king's camp, took with me Mariano Tobares and Juan De Leon, and went to where I was to meet Morelos's men. Morelos's men, commanded by Julian de Abila, came about eleven o'clock. They were five hundred and twenty-seven in number, armed with thirty-six old guns, and the balance with lances and bows and arrows, and some with nothing but sticks. I made up my mind that night to die or be revenged. The sign and countersign were to be, when one said, "Who lives?" the other should answer, "Silence!"

The king's camp was on the bank of the river. The artillery—four pieces—was mounted on the bank, pointed across the river, which was about knee-deep. In the king's camp were about two hundred regulars, stationed next to the artillery. We crossed the river below the camp, and came up under the bank till we got opposite the guns. We mounted the bank, killed the sentinel, took possession of the cannons, and turned them on the camp. This took them so suddenly, that the regulars surrendered without fighting. The balance of the king's army came running up, and asked what was the matter. By this time our patriots had armed themselves with the guns of the regulars, and we took the enemy nearly all prisoners, killing only three of them. We took five hundred and twenty-six prisoners, and all their arms and ammunition. Colonel Parras, without hat or uniform, mounted a horse barebacked, and escaped.

The next day, four hundred of the prisoners—in fact, all the natives—joined our flag; so that, in one night, we had become respectable in men and arms. The three hundred men, who were also to have joined the royalists, camped that night in six miles of us; but getting news of the affair from some who had escaped, they struck their camp, and retreated for safety. They made no halt till they reached Huacaca, a city on the Pacific ocean. The next morning, General Morelos came up to the battle-ground about nine o'clock. We were all in motion with our cannons and prisoners, and you may well conceive that we had a joyful meeting.

We marched to the pass of the Sabana, which it was determined we should fortify. The work was commenced, but we were scarce of money for our men. I proposed to plunder Acapulco, for the fort was built to defend the bay, and her guns could not reach the town. The general agreed to it, and a large number of our men volunteered to go with me. We went in the night, and, after carrying the small guard at the hospital, the town was ours. We got about thirty thousand dollars in goods and about eight thousand dollars in money, which placed our camp in a flourishing condition.

At this time the royalists had drawn off all the forces they could gather to contend with Hidalgo, Rayon, and others, who were in motion about Valladolid, and could not bring any great numbers against us. But they mustered a force of about three thousand royalists, and attacked our works at the pass of Sabana, which we had finished. This was in March, 1811. But we drove them back with great loss. As we remained in our works, our loss was only one or two. This affair lasted two days, when they retreated. Here General Morelos left me with the main body of the troops, which he took to Tayupan. He returned again, and, with his whole force, set out for Chilpanzingo. Before reaching there, we received news that the royalists were advancing to that place. General Morelos gave me the command of two hundred horsemen, with orders to go forward and occupy the town. I did so, but, at the end of three days, was forced to retreat. We took with us, however, all the effects of the king's party there, which again supplied our troops with cash. I informed Morelos that I was compelled to retreat by the superior force of the enemy. He approved the retreat. The next day we marched upon Chualco, where we had news that the royalists were marching rapidly to meet us.

The next morning, about eight o'clock, they came in sight. We were in readiness, and advanced to meet them. There was, between the two armies, a deep gulley, twenty feet wide, which, except in some particular places, was impassable. While the main body were fighting across the gulley, I marched with three hundred men through a piece of timber, and, without being perceived by the enemy, fell upon their rear. In an instant they were in confusion, and commenced their flight. Our army made their way, as they best could, across the gulley. Their officers never tried to rally them, but they all fled. We pursued and cut them down for six miles. All their ammunition and three pieces of artillery fell into our hands. We had with us a large number of Mexican Indians, who pursued and butchered all they could overtake. I came up with them, and urged them to make prisoners, and not to kill. At this time there were, in twenty yards of me, two personal enemies. I advanced toward them, and ordered them to surrender. One of them made a push at me with his spear, and wounded me severely in the right thigh. Our Mexican Indians cut them to pieces in an instant. My horse was brought me, and I rode to camp; but, when I got there, my boot was filled with blood. I felt no great pain, but was weak and faint.

The next morning we marched into Chilpanzingo without opposition. Here we had news that the enemy were marching from the Mistaco, on the Pacific, to Acapulco. General Morelos sent me, with fifty mounted men, to look after them. I reached a garrison of two hundred and fifty of our party, on a mountain called Validaro. Close by the shore there were a hundred more. After six days' ride, my wound had made me very stiff and sore. However, in about six days after my arrival, I was informed, by a woman from Acapulco, that the governor himself was coming to attack the one hundred patriots that were on the coast. They were only nine miles distant. So I immediately started with two hundred men and two small guns from Validaro to join these men on the coast. The third day after our arrival, our pickets gave notice of their approach. I removed my force, consisting of three hundred men, to a rocky bluff on the road, and formed a complete ambuscade. I sent out twenty-five men to give them battle, and then retreat in good order.

All this was effected; and we got them so far into the net, that nearly their entire force, about equal to ours, was killed or taken; and, among the rest, the governor, my old friend, who had kept me so long in chains, was badly wounded. I sent him back to the castle, to die.

After this battle, all the coast was clear of the enemy, except the strong fort at Acapulco, which I was not able to take. In about a month, General Morelos visited my camp, and showed me a letter from the castle, stating that they had entered into a conspiracy* in the fort to deliver it to us; that on such a night, as a signal, they would hoist a lantern to the top of the flagstaff, when Morelos should march his men and form them in sixty yards of the fort. He should then send one to let it be known he was there, when all the doors would be opened, the drawbridges let down, and the touchholes of the cannons filled with tallow.

General Morelos was pleased with the plan, and the idea of possessing the fort. I told him I did not like the plan; for, if the soldiers were formed at the place stated, and the cannons of the fort brought to bear on it, it would be a conspiracy to kill all our men. He said, "Oh, no, it could not be so." I said it might not be the case, but it was dangerous to trust an enemy at any time. He said he wished to carry out the enterprise. I told him that, if I went into it, I preferred doing it in my way, and not according to their plan. He then left it to me to carry it out as I thought proper.

The signal was given about an hour before day. I marched my men to the gate on the opposite side of the fort, and sent to inform them we were ready. They had previously placed fifty pieces of cannon, loaded with grape, so as to sweep the place where our men were to have been formed! They opened their fire, which continued like an earthquake for thirty minutes. In this time we were safely retreating on the other side of the fort, at our leisure, in the dark. They thought, when daylight came, to find the ground covered with "insurgents," as they called us, but they found only the grass and herbs tore up! I asked General Morelos, next day, what he thought of the plan. He said God had protected us.

As there was no possibility of taking the fort, and they would not come out and fight us, we marched back to Chilpanzingo without delay. After all these engagements, we were without ammunition.

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* Bean says they "had made an *entrequi* in the fort." He meant an *intriga*. —ED.

As there were large quantities of saltpetre in the country, and I was the only one who understood the manufacture of powder, I set up a powder-mill. We obtained sulphur from a mine near Chilpanzingo. The Indian women ground the materials on their *metates*, and I made the powder.

At a place called Testla, about six miles from Chilpanzingo, Don Miguel Bravo was attacked by the enemy, and defeated them—though they encamped on their ground. That night he wrote us of his situation, and that he was out of ammunition. We set up all night at our powder-works, and the next morning Morelos sent him one hundred and fifty pounds of powder, and took over to assist him six hundred of us. We attacked the enemy on one side, and our friends on the other, and defeated them entirely, taking four hundred and sixty-five prisoners, three cannons, all their baggage, and ammunition. Among the prisoners was the man who had written that they would deliver up the castle. We put him to death four days afterward.

For some months after this we were free from the enemy. Morelos, during this time, marched to Tenansingo and Tasco, which he took. I was engaged in providing ammunition. He then came to Cuautla Amilpas, which he concluded to fortify. While this was going on, I provided ammunition sufficient for a siege of six months.

The viceroy Calejas came with twelve thousand men, and laid siege to the place. It was agreed by the leaders of the patriots that Morelos should stand a siege, and thus draw all the royalists from Mexico. Rayon, Cos, Vedisco, and Bravo, were to approach the besiegers from without, while Morelos was to sally out from the place; and thus, by one complete victory, we were to be complete masters of Mexico. The other patriot officers, seeing Morelos shut up, did not advance as they were to do, but left him to suffer hunger and fatigue until he was forced to leave the place in the night, which he did by forcing his way through the besiegers, with a small loss of men, but of all his cannons and ammunition.

During the two months of this siege, I had gone out with seventy men to support Chilpanzingo, and provide ammunition. As my guard was too weak, I was forced to fly to Choltepec, forty miles from that place. In this time I had made about two thousand pounds of powder, and had repaired a number of old guns, all of which were of great service to Morelos when he retreated from Cuautla. We marched to relieve a portion of the patriots who, under the command of a lieutenant-colonel, were besieged in Huahuapan. We succeeded, and took two pieces of artillery and some muskets. We then marched to Tehuacan, which received us with the ringing of the church-bells. We remained here about two months, when we marched to attack Orizaba. We reached it in a march of three days, and took it by assault, with little loss.

Hearing that the royalists, under the command of General Avia, were advancing rapidly to give us battle, we left Orizaba in three days, and marched out to gain a position on the road where he would pass. He reached the place first. We made an effort to pass him, but he was well prepared, and gave us such a complete flogging, that he dispersed our forces. We saved our guns and ammunition with difficulty, and made our way to Tehuacan. Thence we marched to Huacaca, on the waters of the Pacific. In this march, the want of horses and provisions, and the bad and mountainous state of the roads, put us to great trouble. When we reached the beautiful plains of Huacaca, we summoned them to surrender, which they refused. At daylight, next morning, we attacked the city, and in two hours obtained possession. We took here a large quantity of property belonging to the king and the royalists, which we much needed. We also acquired a rich province, which produces large quantities of cochineal. We remained here about a year, in which time I had erected a powder-mill, and carried on successfully the manufacture of powder.

At the end of this time, we marched with twelve thousand well armed men to Chilpanzingo, and then to Acapulco, to try and get possession of the place. General Morelos, our commander-in-chief sent in a flag, demanding the surrender of the place. The letter was not signed by Morelos, but by me. The commandant of the fort answered as follows:—

"If you will come and join his majesty's troops, you shall have a colonel's commission, and ten thousand dollars' reward."

I presented it to General Morelos. He laughed when he read it, and said, "Why don't you go?" I said, "If you thought I would go, you would not say that." He then said, "You are right." With his leave, I then wrote as follows:—

"Sir: I have had the pleasure of receiving your letter, dated December the 20th, 1812; and, in answer to the same, I have to state that I am very poor, but, for all that, your king has not money enough to buy me, or make me a friend to a tyrant, when I have been rocked in the cradle of liberty from infancy.

"Your ob't servant, "BEAN."

We laid in about two miles of the fort for three or four days, when a deserter came to our camp, and told us that the enemy's women and children, with their sick, and an abundance of provisions, were on a small island, about a mile from the shore. As there were provisions on the island, it was deemed impracticable for us to starve out the fort; so we fell upon the plan of building a sufficient number of *piraguas* to pass over and take the island. We went to work to build the vessels; and while at it, General Morelos, being in bad health, went to Tehepan, leaving me in command of the business.

I had a small party of men stationed just out of gunshot from the fort. They were very careless of the defence of the post. So, one morning, just at daybreak, when they were all lying down, the royalists came out of the fort and charged on them. They defeated them completely, and took from them two pieces of artillery. I heard the firing at my camp, got my troops in order, and marched with all speed; but, before I got there, they had returned to the fort, so that I could do nothing.

I then stationed another guard at the same place, and attended to the making of the vessels. I soon had twenty made: they were rough and badly made, yet large, and would hold many men. I wrote to General Morelos that I was ready to pass to the island. He answered me, to go on; that his health was yet bad; that he would send me fifty mule-loads of corn, knowing that I had plenty of beef. I launched all my vessels; and one calm night, having placed in them about five hundred men, I passed over to the island, and landed just before day. At daylight I charged on the camp, and took it without the loss of a man. I found a guard of forty men, about two hundred women and children, and some old men sick. They informed me that two schooners would be there the next day. I then lashed my piraguas about three feet apart, four together, laid poles across them, and thus formed four floating platforms, or whatever you may call them, and took them to the point of the island, to see if I could not prevent the schooners from coming out.

They came out, and, seeing us, went back to the port, and got some small guns on board; and the next day came out again, to destroy my rafts. They came close to us, and opened a fire. We soon made them wish to retire. One of them did; but the other, having her mast shot away by a shot from a six-pounder I had found on the island, and having some of her men killed, they ran below, and she drifted within twenty feet of us. We then boarded her with our four loose piraguas, fastened her to our raft, and took her men, nineteen in all, prisoners.

The prisoners informed me that they were out of provisions, and would be forced to surrender within three days. Three of the women on the island asked leave to go to the fort. I told them they were all starving there, and, if they went, they would suffer. They begged me to let them go, and said that they would tell the troops at the fort how kindly they would be treated if they surrendered, and that I had said I would not leave the place till I had taken the fort. I let them go. Sure enough, the next day a flag left the fort, and made toward my camp on the shore. I sent from the island to meet them. They were two clergymen and one lieutenant. They said their commander had sent them to me, to state that he would surrender the fort if I would let him and his troops march out with their arms, and go and join the other troops of the king.

I said, no; that if he would surrender it, and let all the arms and ammunition, and king's property, remain in the fort, then every man might take his clothes, baggage, and money enough to bear his expenses, and have a passport to join the king's troops wherever he pleased; but, if I found anything more taken, I would retain the commander as a prisoner.* . . . . .

. . . .

. . . "that my house is yours, and that my daughter who now sits in your presence esteems you, and, there is no doubt in my mind, would forsake her home and parents to follow you in the army, although she has been raised by kind parents, and never lacked anything of enjoyment this place could afford. She has disclosed her mind to me, and says you have promised, when the war is over, to make her your companion. It is, then, the wish of us all, that you stay with us. The whole of this city shall suffer death before you shall be hurt. We have now in the house for you a king's pardon, and the promise that you shall have the same command in the king's army that you now have. So, fulfil the promise to my daughter, marry her, make her happy, and yourself also. You well know of the defeat of Morelos, and that all the troops you commanded are lost; that the king's troops are daily increasing, and the patriots falling off. So, for your own happiness and mine, I hope you will, at your leisure, take all these things into consideration."

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* There are four leaves, or eight pages, of the original manuscripts, missing here, viz., from page 197 to page 204 of the original. It may be proper to state that the place was at last surrendered, and the prisoners afterward shot by order of Morelos, to retaliate for the loss of General Matamoras.—ED.

I said to her: "Dear madam, your offers are fair and friendly, for which I give you a thousand thanks. But no man of honor ought to change his coat to join a despotic monarch, and groan under the weight of chains which I have made a feeble attempt to break. True, I have not yet succeeded; but I hope to see this country flourish in the enjoyment of liberty, and the despot fly from our coasts. I can never think of changing my mind: I shall ever continue to raise my sword against the king while my life is spared, and he attempts to occupy this land."

Miss Wakina spoke: "You have visited my father's house, and I have been simple enough to think you had a regard for me, and would wish to make me happy. But now I see you are full of flattery, and do not return my regard for you. I will leave father, mother, and all, to go with you; and, as it would be a happiness to endure fatigue in your company, if you will not stay with us, I will follow you till death shall separate us."

I returned many thanks to this beautiful girl; and, as an objection to her going with me, told her that, if I should lose my life in any engagement, she would be left without parents or friend; that I had strong hopes I would shortly return, and then I would be more than willing to make her my own. I told her I thought she possessed more honor than to urge me to join the standard of a despot, and thus, for her sake, to make myself for ever miserable. She then said she wished me to preserve my honor, and do what was right; that she would go into a convent, and await my return. I then gave this young angel a kiss, and left the room.

I then returned to where the priests and friars were, who supposed that everything was ready. I told them I must ride, and that they could command me at all times, as could all men of liberal minds, although they might not join in the field of battle. There was silence for a moment: some wine was brought in—I took some, bid them adieu, and went out and mounted my horse. In this time the ladies were telling what I had said. A friar came out and took my horse by the reins, and said I must not go. I wished him to let go my horse. Miss Wakina came to the door, and told him that my principles were honorable, and not to incommode me; then, with tears in her eyes, she bid me farewell. The friar still held on to my horse, and would not let go till I put my spurs to him. I rode to the street; my few men mounted their horses: then all came up; I bid them a general farewell, and we started on the road for Quicaclan.

The next day, about eleven o'clock, I came up with my mules, loaded with ammunition. I had two hundred followers, and only two thousand dollars, and knew not where to get more. In three days I reached Quicaclan. Here I was informed that General Rayon was in Tentaclan del Camino, only nine miles distant. I was by this much relieved, as it was gratifying to know that my small force were not all the republicans in the world. I mounted and marched with all possible speed, though the most of my pack-mules were very tired. But when I reached Tentaclan, to my great surprise, Rayon had left that place the day before, and gone up a mountain to a place called San Pablo Solaclan. I stopped that night, and the next morning I received news that General Avio, a royalist, was on his way to that place, expecting to find General Rayon there. It was necessary for me, with my small force, to stand or run. My mules had all given out; and then, to escape the enemy, I would have to take up the mountain at the edge of the town, and leave my ammunition.

I wrote to Rayon that it was impossible for me to move; and to send me a reinforcement, and I could beat the enemy with ease—so that we could then march to Tehuacan without any danger. His answer was, for me to leave the place, and save what I could; that he should not send me any relief. I then commenced to pack and start my mules—all of which was owing to a want of valor in Rayon, who had run away from the same enemy before I came. I had started my packs with the pack-men, but not my soldiers, and had sent out a small picket-guard in the direction of the enemy. They returned, and reported that they would be there that evening.

I sent back to Teotla and got forty men to reinforce my two hundred. I had with me Captain Simon Mendez, in whom I placed great confidence. I thought I would see what force the enemy had: and if I could give him battle, I would do so; if not, I would retreat. It had been reported that they were a thousand strong. My mules were gone, and I had no artillery, except a small howitzer. The town was on a beautiful rise, so that I could see them when they approached within half a mile. When they came in sight, I saw they had about three hundred cavalry, two hundred infantry, and one piece of artillery.

I marched to the outside of the town, to a small creek with high banks. There I stationed fifty men behind a rise, which concealed them from the enemy. As soon as their cavalry saw my advance, they charged. They were some time in the creek, so that I got two fires on them. My advance then fell back to my main line, on top of the hill. There we gave the enemy's cavalry such a beating, that they retreated, and reported to their infantry (who never reached the battle-ground) that my force was two thousand men! The whole body then fell back, and that night retreated to Coscoclan, leaving me quietly at Tentaclan.

General Rayon, hearing of my success, came to my assistance when I did not need him. I then went with him to San Pablo Coscoclan. He then wanted me to come under his command. This was the first time I had ever seen him. I stated his wishes to my men; and they said I might do as I thought proper, but they would not follow me if I did. I did not like myself to go with him, for I knew I would always be left to fight if any danger offered. So I told him I would meet him at the Lanas de Apan in six or seven days. So he left me, and marched for that place. But it was not my intention to meet him there.

The second day after his departure, I received a letter from General Morelos, relating all his misfortunes, and requesting me, if I could pass to the United States, to do so as soon as possible; and see if I could make any arrangements to bring on a campaign against the province of Texas, and, if I could, to make some provision for a supply of arms.

My situation was then desperate. When I left Huahaca, I had two thousand dollars. I had spent all this, in furnishing my men, excepting five hundred dollars. Knowing that, with money, in the United States, I could do much, and, without it, nothing, I was troubled.

There were some rich patriots in Tehuacan; so, having left my men under command of Captain Simon Mendez, I went to see them, and stated my situation. As I was known there, and General Mo relos was much esteemed, I found that the people would raise me all the money they could in a few days; and so my mind was relieved. In about ten days I received news that the citizens had made up ten thousand dollars for me to take with me.

As soon as I could, I went to Huatusco, where there were stationed fifty patriots. Thence I continued my journey to the king's bridge, or Puente del Rey, where I found General Victoria and a man by the name of Ansures. I stayed with them one night, and proceeded to the town of Nautla, on the coast. This place was, at that time, commanded by a negro, named Philipia. I found here a large open boat, and, thought, by putting a deck on it, I could pass the gulf. After working at it five days, there came in sight a fine schooner, belonging to a company of privateers commanded by Lafitte, and well known by the citizens of the United States. They lived on an island called Barrataria, below New Orleans. This schooner, called "The Tiger," was commanded by Captain Dominic, a Frenchman. I had under me in that place about seventy-five men. We made every signal, but could not get them to send their boat, although they lay to, and showed their colors. At that time they had Carthagenian colors, with which I was not acquainted. Toward evening they sailed southwest, toward Vera Cruz.

The second day after, we saw two sails coming up the coast, very close to the shore. With a good glass, I quickly found that the foremost vessel was the one that had left two days before. When she came opposite to us, she let fly the same colors as before. I had no other craft than large piraguas, and could not think of venturing out, not knowing but she was a royalist.

In this time the other vessel, which I found to be a large brig, came close alongside the schooner, and, hoisting English colors, the fight began between them. The schooner spread her sails, and played around the brig, until she had shot away her mainmast. The brig was then ungovernable. The schooner made off out of gun-shot, and then lay to again. The brig sent out two large boats to board the schooner. As they came near, she sunk one of them, and the other was badly shattered. The brig having picked up her men from the wreck, the schooner made off toward New Orleans, and the brig returned a southwest course.

The next morning, the guard on shore reported that there was a small schooner at the mouth of the river, a half-mile from the town. Filling the three piraguas with men, I went down to the schooner, and found her drifting toward the shore, but, as there was a calm, making no headway. I went out with two of my boats, and boarded and brought her in. This is the first vessel the *Mexican* nation ever owned. She had on board some flour and dried beef, which was of great service to us. I had a thought of fitting up this vessel for my voyage, but I found she was only a coaster, and had no compass or quadrant; and if she had, they would have been of no service to me, for I knew nothing of navigation, and had never been twenty miles from shore in my life.

The next morning, a woman came down the coast to sell us some fowls and eggs, and informed me that, six miles up, there was a schooner run close to shore; that her deck was covered with men, and she had no masts. Supposing it might be the enemy who had come out from Tampico, and was aiming to land and give me battle, I then set out with my small force to stop them from landing—knowing that on that open coast they would land with difficulty. When I approached near them, I concealed my men behind the sandbanks, and sent five men unarmed to the shore, that they might not be alarmed. The five men hailed them, and they sent out their boat for them. I then learned that this was "The Tiger;" that she had been so fortunate as to cripple the English brig, and get away from her; that afterward the crew of the schooner had got to drinking, and ran her on the shoal which extends out a great distance from shore. I learned that the Spaniards at Vera Cruz had promised the English captain two thousand dollars if he would capture the schooner; but he got well shattered, and did not take her as he expected. I was happy to find some of my countrymen on board, and learned from them, for the first time, that the United States and England were at war.

I then sent for my small schooner I had found at the mouth of the river, and transported the crew of the Tiger and all on board of her to Nantla. We then prepared my little schooner, and took on as many of the crew of the Tiger as we could carry, and in ten days set sail for New Orleans. In thirteen days more I landed safely on Barrataria island. I left my small schooner in care of Lafitte, and got an old Frenchman to pilot me through some lakes, and land me on the Mississippi, about nine miles above New Orleans. I got a skiff from a gentleman by the name of Hearn, and a negro to row me down to the city. This was in 1814.

I found my old acquaintance, William C. C. Claiborne, of Tennessee, was governor of Orleans. But I did not remain long there. I went to Natchez, and thence to Natchitoches, to see what chance there was to renew the expedition of Bernardo Gutierres and Toledo. At Natchitoches I found a large number of poor fugitive Mexicans; but they had become dispirited, and had no desire to make a second attempt. I had not money enough to carry on an expedition, so I returned back to New Orleans.

The day after my arrival, the American gunboats had been taken by an English squadron off Mobile; and, shortly after, great preparations were being made by General Andrew Jackson to defend New Orleans. I had known Jackson from my earliest recollection. I thought, although I had not been in the United States for fifteen years, that I would volunteer my services. I joined the company of Captain Maunsell White, of New Orleans, and was stationed at Bayou St. Johns.

News arrived that the British had landed below New Orleans. At three o'clock in the afternoon our company struck up the march, and overtook the rest of the army before they reached the battleground. (I shall not say much of this battle, as it is well known.) Next day, General Jackson asked me if I understood artillery.* I told him I did. He then stationed me at a twenty-four pounder, a short distance from the levée, where I stood till the British retreated, except two days, in which I was showing Mr. William Brant, a brick-mason of New Orleans, how to erect a couple of air-furnaces for heating shot.

After the British had been defeated, and made their retreat, I asked leave of General Jackson to return to Mexico, which was granted. I obtained a small schooner in New Orleans, bought arms and ammunition as far as my means would allow, and started down the river. I could not go out at the Balize, because of some English vessels stationed there, but went out at what is called the Southwest pass. I again made my way to Nautla, taking, on the voyage, a small Spanish schooner, loaded with corn and flour, and bound from Tampico to Vera Cruz.

I carried her safely in. I then armed all the men I could, placed Villapinta in command of the coast, and set out on a journey of six hundred miles through the enemy's country to Purucan, where General Morelos was stationed. At this place, about three months previous to my arrival, General Matamoras had been taken and shot by the royalists. I performed this long journey (without any accident) with only six men. When I arrived, Morelos said I was right—he ought not to have come on this expedition. He asked me what good news I brought from the United States. I related to him how I got there, and what I had done. I told him the United States were our friends and well-wishers; but they were then at war with Great Britain, which might be a reason why they could not do so much for us.

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* General Jackson knew the Beans well. The scene between him and Russel Bean, an uncle of Ellis P., forms part of our early history. —Ed.

It was then concluded to send an embassador to the United States, and that I should return there with him. Twenty-five thousand dollars was all the money that could be raised for the purpose. General Morelos wished to come with us as far as the coast; but he had been appointed president of our small republic, yet in its struggle for freedom, and could not leave. Don Manuel de Herrera was appointed embassador. Morelos sent with us his son Almonté, as far as New Orleans.* When we reached the last-named place, we found that the United States would not acknowledge our independence. As we were not yet free from the Spanish yoke, this was right.

I left Herrera and Almonté, and returned to Mexico; but, before I reached there, Morelos had been taken by the royalists and shot. I found the country was in a desperate situation; that a great number of the former patriots had gone over to the royalists, and obtained pardons. I went to Tehuacan, where General Teran was stationed. There I learned that Colonel Muscos was taken at Palo Blanco, near Huatusco. I returned to the latter place, where I had about fourteen hundred dollars in money. I packed it up, and started to meet General Victoria, who had gone down to the coast, a small distance from Vera Cruz.

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* Almonté (present Mexican minister to the United States) was an illegitimate son of Morelos, and was sent in care of Colonel Bean to the United States, to be educated. He was placed at school, and for some time remained there; but his father being killed, and his means failing, he became a clerk in the store of Puech and Bein, hardward-merchants in New Orleans. He then left their employment, and joined Bernardo Gutierres at Compté, on Red river. On receipt of the news of the treaty of Cordova, made in 1821 by Iturbide and O'Donojú, he returned with Gutierres to Mexico by way of Matamoras. At the latter place Gutierres remained, being appointed first governor of Tamaulipas under the republic. Almonté made his way to the capital, to push his fortune; and, with the exception of his renowned master Santa Anna, no Mexican has met with a greater variety of adventures.—Ed.

I took with me a young lady of fine family, who had lost all they had in the revolution.* I married her at a small town on my way, intending to ship her with me to the United States. My mules being fatigued, I stopped at a hacienda. The next day General Victoria came on, having with him but four men. He had been beaten by the royalists, and was then on his retreat. He was entirely destitute of funds, not having a single dollar. I told him what I had, and proposed that we should unite and make a new effort. He said it was not worth while; that the people had got out of heart, and it would be better to go to some secret place and there wait till there was a change. He wanted me to join him; but I could not think of hiding myself: besides, the very men who would bring me provisions would betray me into the hands of the enemy. I told him I would send my wife to her uncle at Jalapa, and make my way to the United States by land, if it took me two years; that I could do it by keeping in the mountains along the coast. All this must be done on foot, relying upon the chase for support. General Victoria said it was impossible for him to do it. The next morning he left me, and went into the mountains, not far from Cordova, where he remained, living the life of a hermit.

I remained at the hacienda, recruiting my mules. Some patriot friends gave notice to some of the king's troops, stationed not far distant, where I was, and that I could be taken. Immediately there were a hundred men sent to apprehend me. They aimed to come upon me in the night, but the rocky cliffs they had to cross prevented them from reaching me that night. Next morning, I was walking in the yard, when I saw them coming. The four men I had with me were hunting my mules, so I was by myself. I told my wife to sit down and make herself easy, as they would not kill her, and that I should make my escape. I caught up my gun and sword, and started off, in my shirt-sleeves, and went along the side of the mountain, covered with brush and vines, with occasional rocky cliffs. I ascended one of them, and saw the king's troops catch my mules and horses, and take my beef, which I was drying on ropes. They got all my property and money, except two hundred doubloons, which my wife saved by going for water, and burying it in the sand.

Finding myself thus alone, with only my arms, and in my shirt and pantaloons, I started for help. I went to a place four miles distant, where there had been some men engaged in making liquor from the wild-cabbage, which grows there in abundance; but they were all gone, except an old man, who told me they had heard I was killed, and all my people taken. He then went with me to where they were hid down the creek. I found here twenty men. I then went on to a small patriot garrison twenty-five miles distant, and raised by night, in all, two hundred men. At daylight next day I marched for my old camp at the hacienda, hoping to defeat the royalists that had plundered me. But they had all left. I gave them chase, and only got sight of them as they were rising the hill to enter their fort. So they got in safe, and my hopes and chance were lost.

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* Señorita Anna Gorthas. She resided at her hacienda, at Branderrillas, and was related to General Moreloa.—Ed.

NOTE.—The lady to whom Colonel Bean was married, as stated on the previous page, was a most tender and devoted wife. She had by him no children. By the turn of affairs she became wealthy, and owned a fine hacienda three miles from Jalapa, where Colonel Bean died, on the 3d of October, 1846.—ED.

END OF THE MEMOIR.

APPENDIX NO. III.

REGISTER OF THE PROCEEDINGS AT GALVESTON,

APRIL 15, 1817.

The undersigned persons having appeared for the purpose of taking the necessary oath of fidelity to the Mexican republic, now in the possession of those who represent that nation in this quarter—which act was executed with all due solemnity—

1. Appeared Louis Derieux, commandant, who took said oath in the presence of the citizen Louis Itourribarria; after which—

2. The other authorities were severally sworn before the said commandant in regular form.

And, to establish its authenticity, it has been signed by all those who were present. And the said document shall be kept in the office of said port or place, with the signatures, as well as that of the representative, so that its validity may, at all times, be established.

And not being able, from existing circumstances, to obtain a seal of state, its place will be supplied by a common one until an official seal can be procured.

Louis Itourribarria,
Louis Derieux,
A. Pironneau, jr.,
Rousselin,
R. Espagnol,
J. Ducoing.

Lapou, *Sec'y ad interim.*

Bay of Galveston, *April* 20, 1817.

The commanders of the independent Mexican vessels-of-war, assembled on board the schooner "Jupiter," for the purpose of nominating, with the requisite formalities required by the authority, which, in the name of the Mexican government, supports this nation, particularly in the existing war carrying on against the royalists of Spain; in consequence of which they have proceeded to pronounce an opinion in the following articles:—

The undersigned captains and owners of vessels, now in this port, having met according to public notice, have taken into consideration the proceedings of the 17th of this month, under which they named the citizen Colonel Louis Derieux military commandant, the citizen J. Ducoing as judge of the admiralty, the citizen Rousselin as administrator of the revenue, and the citizen R. Espagnol as secretary of the public treasury, all of whom have been recognised by the provisional assembly; and at the same time the citizen Jean Jannet was appointed marine commandant of the place, with all the necessary powers.

And, after due deliberation, all the members of this assembly unanimously resolved that the duties which shall accrue from the prizes already arrived or may hereafter arrive at the port of Galveston, after condemnation being pronounced, shall be disposed of as follows:—

1. The treasurer shall pay on demand, upon the order of the government of the place, every expense which may be necessary for the port or harbor of Galveston, for the support of the officers employed, and for munitions of war and other expenses, fixed according to the claims and obligations of the several officers.

2. That when the expenses of one month are ascertained, those of the month following may be anticipated out of the funds in hand.

3. That the surplus will be applied toward the payment of the debts of the government contracted prior to the 15th of April, 1817; upon the express conditions, however, that no one who is not actually employed at said port shall enjoy the advantage of that arrangement, and that the old debts will be paid only to those who are actually employed at the port of Galveston.

4. That the salaries of the officers and others employed will be regulated by a special council, and that the whole will be entered on the register of deliberations.

The whole has been signed in the presence of the secretary *pro tempore*, Lafou.

L. Derieux,
A. Pironneau, jr.,
John Ducoing,
Rousselin,
Jean Jannet,
Richard Espagnol,
Parisi,
John Querre,
Dutrieu,
Denis Thomas,
Faiquerre,
Joseph Place.
Renaud,
B. Lavard,
Savary,
Marcelin,
Gilop.

Testimony taken in sundry causes depending in the United States District Court for the Louisiana District, on behalf of the United States, against sundry vessels and cargoes from Galveston.

JOHN DUCOING, being duly sworn, the deponent further says that the establishment at Galveston was composed, as before stated, by persons of various nations, and that the sole view and object of the persons comprising the said establishment was to capture Spanish vessels and property, without any idea of aiding the revolution in Mexico, or that of any other of the Spanish revolted colonies, as far as this deponent knows and believes. And the deponent says that, during the time he exercised the functions of judge at Galveston, he had no knowledge or belief in the existence of a Mexican republic or other government independent of the Spanish government. The deponent further says that the government established on the 15th day of April had no connection whatever with any other government, state, or people. That Galveston stands on a small island, or, rather, a small sandbar, a few miles long and broad, and was a desert when taken possession of by Aury, known by the name of Snake island, without a port or harbor, and no buildings except a few huts or cabins, probably three or four, made of boards and sails of vessels. And further this deponent saith not.

JOHN DUCOING.

Sworn and subscribed before me, this 7th of October, 1817.

R. CLAIBORNE, *Clerk*

Mr. Richard Espagñol, being duly sworn, says that, on the 16th day of March last, this deponent went from this place to Galveston, in the province of Texas, in the brig "Devorador," for the purpose of disposing of merchandise. Aury was acting as governor. This deponent accepted of no office or employment from Aury, nor had he any acquaintance with him; never took any oath of allegiance to Aury; that, on the 5th of April last, Aury and General Mina abandoned Galveston, burned the huts and cabins there standing, and left no person authorized by them, or otherwise, to form a government. After their departure, to wit, on the 15th of April, 1817, the persons then at Galveston consisted of about thirty or forty in number, including sailors, &c., six of whom assembled on board the schooner "Carmelita" (belonging to Bartholomew Lafou, late of New

Orleans, and engineer in the service of the United States), to wit, Derieux, John Ducoing, Pironneau, said B. Lafou, Rousselin, and this deponent, who formed the new government. The proceedings were drawn up and signed by those present, by which certain persons aforesaid took upon themselves offices, to wit: Derieux, governor; John Ducoing, judge of admiralty; this deponent, notary public and secretary; Pironneau, major du place; Rousselin, collector.

At the meeting on the 15th of April, there was no paper or document produced authorizing the same, or giving them power to form a government. . . . . . .

[The balance of the deposition is the same as that of Ducoing.]

RICHARD ESPAGNOL.

Sworn and subscribed before me, this 7th day of October, 1817.

R. CLAIBORNE, *Clerk*.

APPENDIX NO. IV.

NOTES ON THE ALAMO.

HISTORICAL NOTES COLLECTED FROM THE REGISTERS OF THE OLD MISSION OF SAN ANTONIO VALERO, NOW CALLED "THE ALAMO." BY F. GIRAUD, ESQ., OF SAN ANTONIO.

FROM the heading of the register of baptisms, delivered over by Fra. José Francisco Lopez (the last of the Franciscans remaining at the Alamo, and entitled *parroco*, or parish-priest, of the *pueblo*, or village, de San Antonio de Valero) to Gavino Valdez, curate of the *Villa de San Fernando y presidio de San Antonio de Bexar*—which delivery was made by an order of the bishop of Monterey, dated January 2, 1793—we learn that the *mission* (located finally where the Alamo now stands) was several times removed before it was settled on the San Antonio river.

The following is the translation of the heading referred to: "Book in which are set down the Baptisms of the Indians of this Mission of San Antonio de Valero, situated on the bank of the river of San Antonio, in the Government of this Province of Texas and New Philippines, belonging to the Apostolic College of *Propaganda Fide*, of the most Holy Cross of the City of Santiago de Queretaro."

The translation of the next extract is as follows: "Baptisms of the Mission of San Antonio de Valero, from its foundation.

"NOTE.—This mission was founded in the year 1703, in the *Cienega* of the Rio Grande, under the invocation of *San Francisco Solano*. From this place it was removed to the neighborhood called San Ildephonso, having that invocation. Thence it was moved once more to the Rio Grande, where it had the name of *San José* Finally, it was transplanted to the river San Antonio, where it now is, under the name of *San Antonio de Valero.*"

The mission seems to have remained at the Rio Grande up to about 1708, the last burial performed at that place being dated July 28, 1708. It can not have remained at San Ildephonso more than a year or so, since the first interment made at the mission of San José is dated November 18, 1710, signed Fr. José de Soto.

In a note inserted in the record of baptisms, above cited, we learn that on the 1st of May, 1718, the mission was moved from the post of San José, because of the scarcity of water, to that of San Antonio de Valero, by order of the marquis of Valero, viceroy of New Spain, in honor of whom, it seems, the mission was partly named.

The first stone of the present church of the Alamo, which is still unfinished, was laid and blessed May 8, 1744.

The baptismal records continue to call San Antonio de Valero a mission until the year 1783.

The next book of records we find contains the baptisms of the children of the soldiers of the company of San Carlos de Parras, which at first had been stationed outside of and adjoining the Alamo, but which, being much troubled, it is said, by the Indians, erected barracks within the enclosure of the mission, on its south side. The first record of baptisms in it is dated March 30, 1785, and signed by Christoval Gabriel Cortinas, chaplain of the company. The baptisms and other rites in this book are said to have been performed in the parish of the pueblo of *San José del Alamo* —a name which, I am inclined to think, was never generally adopted by the people.

The chaplain of the company of San Carlos de Parras, in 1788, was named Don Manuel Saenz de Juangorena; and his office was distinct from that of the parish-priest, who at that time attended to the citizens and the descendants of the Indians living in the pueblo, and who was one of the old *religious.* For, on the last page of the book of the record of baptism of Indians and others, extending down to 1783, we find the following notes:—

"On the 22d day of August, 1793, I passed this book of the records of the pueblo of San Antonio de Valero to the archives of the curacy of the town of San Fernando, and presidio of San Antonio de Bexar, by order of the most illustrious Señor Dr. Don Andres de Llanos y Valdez, most worthy bishop of this diocese, dated January 2d of the same year, by reason of said pueblo having been aggregated to the curacy of Bexar; and, that it may be known, I sign it.

"FR. JOSE FRANCISCO LOPEZ, *Parroco*."

"SAN ANTONIO DE BEXAR, *June* 14, 1794.

"On the day of this date I received from the Rev. Father J. Francisco Lopez, who was minister of the mission of San Antonio de Valero until it was delivered into the hands of the *ordinary*, this book, in which are set down the records of baptisms pertaining to said mission, made up to the year '83—*noting*, that from the year 1788 onward, those which are sought may be found in a new book bound in parchment, from leaf 2 to 100, in which are those that follow that year; and those which may take place will be set down. I make this note that it may serve as an index, and I signed it with the same Rev^{d}. Father—date *ut supra*.

"BACHELOR GAVINO VALDEZ."

"I delivered this book, on the day of date, to the curate Don Gavino Valdez; and, that it may be known, I sign it.

"FR. JOSE FRANCISCO LOPEZ."

"SAN ANTONIO DE BEXAR, *July* 11, 1804.

"On this day I received from the Señor Cura, the Bachelor Don Gavino Valdez, my predecessor, this book, pertaining to the new Pueblo of San Antonio de Valero; and, in testimony, we sign it.

"JOSE CLEMENTE DELGADO,
"BACHELOR VALDEZ."

It would seem that, by reason of the Indians of the mission of San Antonio de Valero gradually becoming extinct, without being replaced by others (the captives taken during the military expeditions of the Spaniards, for the repression of hostilities, being placed in the missions on the San Antonio river below the town), and by reason of their children becoming civilized and incorporated with the rest of the population in habits and manners, although still continuing to inhabit the mission, that this last changed its character, and became an ordinary village, in or about 1785.

About the year 1790, the Presidio de los Adaes, in Texas, near the boundary of Louisiana, was broken up and abandoned, and the inhabitants thereof transferred to this place. The number of children of the mission (*hijos de la mision*) of San Antonio de Valero was then so small, that, after giving them a portion of the mission-lands in fee simple, and also the houses they had occupied around the mission (to which they had previously received no title), the balance of the irrigable lands of the mission were distributed among the Adaeseños. The upper *labor* of the Alamo, or that lying to the north of the old mission, between the Alamo ditch on the east side and the San Antonio river on the west, is still commonly called by the old inhabitants the *labor de los Adaeseños*, from this circumstance.

On the 10th of April, 1794, Don Pedro de Nava, commandant-general of the northeastern internal provinces, of which Texas was a part, published a decree by which all the missions within his jurisdiction were *secularized*—that is, the government of the temporalities of the mission was taken from the hands of the friars, or parish-priests, of those missions, in whose charge they had previously been, and intrusted to civil officers of Spain, called *sub-delegados*. The inhabitants of the missions received, according to that decree, each one a certain amount of land in fee simple; but, to guard against want, and pay the necessary expenses of the community, they were still obliged, under the direction of the *sub-delegados*, to cultivate a certain amount of lands in common.

The spiritual direction or government of the people was taken from the friars, as a body or community, and put under the care or supervision of the ordinary chief of the diocese in which they were situated, that is, the bishop (technically called the *ordinary*, because the missionary government was called *extra-ordinary*, and adopted only for the time the Indians were being reduced to a state of civilization). After such civilization, they came under the spiritual jurisdiction of the ordinary ecclesiastical superior of all other catholics in the place.

The Franciscans, in many instances—indeed, in most of them—remained as pastors of their old flocks; but they received their jurisdictions from the bishop, as all other parish-priests. This was the case with Father Lopez, who, as may be seen in one of the previous extracts from the books, delivers certain registers to Don Gavino Valdez, curate of San Fernando and of the presidio of San Antonio de Bexar, both forming our present San Antonio, by reason of the pueblo of San Antonio de Valero* having been made a dependency of that parish on the 14th of June, 1794.

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* Around the Alamo.

The company of San Carlos de Parras continued to occupy houses around the plaza of the mission of the Alamo (the church serving as a parish) until 1814. On the 2d February of that year, baptism is noted as being administered in the church of Bexar by the chaplain of the company; but it does not appear that the church of the Alamo ceased to be used for public worship until about the 22d of August, 1825, when the curate of San Antonio received the records of the baptisms, marriages, &c., of the company of Parras from the hands of its chaplain.

The pueblo of San Antonio de Valero had a separate alcalde up to the year 1809 at least, perhaps later; but, under Governor Martinez, in 1819, it was under the same rule as San Antonio de Bexar, which probably took that name about the time of the first Mexican insurrection.

San Antonio, *January* 1, 1854.

APPENDIX NO. V.

HAYDEN EDWARDS'S CONTRACT.

(TRANSLATION.)

Conditions with which the project of **Hayden Edwards**, *a Citizen of the United States of North America, for the Introduction of eight hundred Families into the Department of Texas, is admitted:—*

1. **The** government admits the project which the petitioner has presented in the antecedent memorial, so far as it is conformable to the law of colonization of this state, passed on the 24th of March last; and immediately points out to him, in compliance with the eighth article, and according to his petition, the land asked for, with the following limits: Beginning at the angle formed by a line twenty leagues from the Sabine and ten leagues from the coast of the gulf of Mexico; thence in a northerly direction, passing the post of Nacogdoches, and in the same direction fifteen leagues above; thence westwardly, at right angles with the first line, to the Navasoto creek, thence down said creek till it strikes the upper road from Bexar to Nacogdoches; thence eastwardly along the said road to the San Jacinto; thence down said river to within ten miles of the coast; thence eastwardly along a line ten miles from the coast to the beginning.

2. All those possessions which are found in Nacogdoches and its vicinity, with corresponding titles, shall be respected by the colonists; and it shall be the duty of the empresario, should any of the ancient possessors claim the preservation of their rights, to comply

with this condition. The same condition is also understood as far as are concerned the settlers in the colony of Stephen F. Austin and any others who may have legal titles to the lands on which they are settled.

3. In conformity with the said colonial law of the 24th of March, the empresario Hayden Edwards is obliged to introduce the eight hundred families, which he offers to introduce, within the term of six years, which shall be counted from this date, under the penalty of losing the rights and emoluments conceded to him by the said law, conformably to article eight.

4. The families which must compose this colony, besides being catholics, as he offers in his petition, must be moral and of good report, which they must prove by certificates from the authorities of the place whence they emigrated.

5. He shall oblige himself not to introduce, or permit in his colony, criminals, vagabonds, or men of bad conduct. He shall cause those he may find in his district to depart from the territory of the republic. Should it be necessary, he will drive them out with an armed force.

6. To this end, he shall raise the national militia, according to law, of which he shall be chief until some other disposition shall be made.

7. When he shall have introduced at least one hundred families, he shall so advise the government, that they may send a commissioner to put the colonists in possession of their lands according to law, and establish towns (*poblations*), for which purpose he shall be furnished with proper instructions.

8. All official communications with the government, or with the authorities of the state, and all instruments and other public acts, shall be written in Spanish. And, when the settlements (*poblations*) have been established, it shall likewise be the duty of the empresario to establish schools for the Spanish language.

9. He shall see to the erection of temples in the new *poblations*, and see that they be provided with ornaments, sacred vases, and other decorations, destined for Divine service; and solicit, at the proper time, the priest necessary for its administration.

10. As to all other things not expressed in these conditions, he shall subject himself to whatever the constitution and general laws of the nation, and of the state, which he adopts for his country, may provide.

And his excellency the governor and the empresario having agreed on these terms, they were signed by both parties before the government secretary; and (the original remaining in the archives) an authorized copy was ordered to be given to the empresario, together with his petition, in order that it may serve as a guaranty.

RAFAEL GONZALES,
HAYDEN EDWARDS.
JUAN ANTONIO PADILLO, *Secretary pro tem.*

SALTILLO, *April* 15, 1825.

Eighth Article of the Colonization Law of the 24th of March, 1825, *above referred to.*

"PROJECTS for new settlements, wherein one or more persons shall offer to bring, at their own expense, one hundred families or more, shall be presented to the executive; who, on finding them in conformity to this law, shall admit the same, and immediately designate to the contractors the land whereon they shall establish themselves, and the term of six years, within which they shall present the number of families for which they contracted, under the penalty of losing the rights and privileges offered in their favor, in proportion to the number of families they shall introduce, and of the contract becoming absolutely null, should they not present one hundred families at the least."

APPENDIX NO. VI.

LETTERS FROM GENERAL SAM HOUSTON.

To President Jackson.

NATCHITOCHES, LOUISIANA, *February* 13, 1833.

DEAR SIR: Having been as far as Bexar, in the province of Texas, where I had an interview with the Camanche Indians, I am in possession of some information that will doubtless be interesting to you, and may be calculated to forward your views, if you should entertain any, touching the acquisition of Texas by the United States. That such a measure is desirable by nineteen twentieths of the population of the province, I can not doubt. They are now without laws to govern or protect them. Mexico is involved in civil war. The federal constitution has never been in operation. The government is essentially despotic, and must be so for years to come. The rulers have not honesty, and the people have not *intelligence.*

The people of Texas are determined to form a state government, and to separate from Coahuila; and, unless Mexico is soon restored to order, and the constitution revived and re-enacted, the province of Texas will remain separate from the confederacy of Mexico. She has already beaten and expelled all the troops of Mexico from her soil, nor will she permit them to return. She can defend herself against the whole power of Mexico; for really Mexico is powerless and penniless to all intents and purposes. Her want of money, taken in connection with the course which Texas *must and will adopt,* will render a transfer of Texas inevitable to some power; and if the

United States does not press for it, England will most assuredly obtain it by some means. Now is a very important crisis for Texas, as relates to her future prosperity and safety, as well as the relation it is to bear toward the United States. If Texas is desirable to the United States, it is now in the most favorable attitude, perhaps, that it can be, to obtain it on fair terms. England is *pressing her suit* for it, but its citizens will resist if any transfer should be made of them to any other power but the United States.

I have travelled nearly five hundred miles across Texas, and am now enabled to judge pretty correctly of the soil and the resources of the country. And I have no hesitation in pronouncing it the finest country, to its extent, upon the globe; for, the greater portion of it is richer and more healthy, in my opinion, than West Tennessee. There can be no doubt but the country east of the Rio Grande would sustain a population of ten millions of souls. My opinion is, that Texas will, by her members in convention on the first of April, declare all that country as Texas proper, and form a state constitution. I expect to be present at the convention, and will apprise you of the course adopted so soon as its members have taken a final action. It is probable I may make Texas my abiding-place: in adopting this course, I will *never forget* the country of my birth.

From this point I will notify the commissioners of the Indians, at Fort Gibson, of my success, which will reach you through the war department.

I have with much pride and inexpressible satisfaction seen your messages and PROCLAMATION touching the nullifiers of the south and their "peaceable remedies." God grant that you may save the Union! It does seem to me that it is reserved for you, and you alone, to render millions so great a blessing. I hear all voices commend your course, even in Texas—where is felt the liveliest interest for the preservation of the republic.

Permit me to tender you my sincere felicitations, and most earnest solicitude for your health and happiness—and your future glory, connected with the prosperity of the Union.

Your friend and obedient servant,

SAM HOUSTON.

To Indian Commissioners at Fort Gibson.

NATCHITOCHES, LOUISIANA, *February* 13, 1833.

GENTLEMEN: It was my intention to have visited Fort Gibson, and to have reported to you my success, so far as it was connected with the Camanche Indians; but at this season, as I may expect a great rise in the waters, and the range for horses on the direct route is too scarce to afford subsistence, I will content myself with reporting to you the prospects, as they are presented to me, of a future peace. Since my report from Fort Towson, I proceeded through Texas as far as Bexar, where I had the good fortune to meet with some chiefs of that nation, who promised to visit the commissioners in three moons from that time. This will make it the month of April before they will be enabled to set out for Fort Gibson, and perhaps defer their arrival at that point until the month of May next.

I found them well disposed to make a treaty with the United States, and, I doubt not, to regard it truly and preserve it faithfully if made. It was necessary for them to return to their people, and counsel before they could send a delegation. I requested that they should endeavor to see both tribes of the Camanches, as well as the Pawnees and their bands, that when a peace is made it may be complete and lasting between all the tribes that meet in convention.

I presented a medal of General Jackson, to be conveyed to the principal chief (who was not present), with the proper explanations. I do not doubt but it will have an excellent effect in favor of the wishes of the commissioners.

At this season it would be impossible for the Camanches to visit Fort Gibson, as their horses are unaccustomed to the use of grain, and the range is destroyed by the season and the burning of the woods. I think it may be fairly calculated that, by the 15th or 20th of May, the chiefs will reach Fort Gibson, and be well disposed to make a peace. I found them entertaining a high regard for the Americans, while they cherish the most supreme contempt for the Mexicans.

One fact, of which I was not apprized in my last report, is, that intercourse between the Northwest Fur-Company and the Pawnees is much more direct and general than I supposed; and, no doubt, carried on much to the prejudice of the Americans, and those tribes of Indians friendly to them. It has been reported to me that the influence and intercourse of the company has extended as far as the Brasos and Colorado, in Texas.

You may rest assured that all the information in my power shall be collected and presented in such character as will be most useful to your commission. I am at a loss for the means to enable the delegation to reach Fort Gibson; but, so far as my resources will enable me, nothing shall be wanting on my part to realize the wishes of my government, and bring about a general peace. If anything can defeat the present expectations, it will be the indirect influence of the Spaniards, who are jealous of everybody and everything; but even this, I trust, will not prevail.

I will leave here shortly for the interior, where I have promised to meet the Indians preparatory to their start for Fort Gibson. They are a dilatory people, and very formal in all matters of a national character. Should anything occur, in the meantime, contrary to my expectations, I will apprise you of it with pleasure.

You will be so kind as to forward a copy of this communication to the secretary of war, that he may be apprized of the prospect of peace with the Indians of Texas.

I have the honor to be your obedient servant,

SAM HOUSTON.

TO HON. MR. ELLSWORTH AND OTHERS, FORT GIBSON.

APPENDIX NO. VII.

TEXAN MEMORIAL.

Memorial of the Texan Convention of April, 1833, *to the General Congress of the United Mexican States.*

The inhabitants of Texas, by their representatives elect, in convention assembled, would respectfully approach the national Congress, and present this their memorial, praying that the union which was established between Coahuila and Texas, whereby the two ancient provinces were incorporated into one free and independent state, under the name of "COAHUILA AND TEXAS," may be dissolved, abrogated, and perpetually cease; and that the inhabitants of Texas may be authorized to institute and establish a separate state government, which will be in accordance with the federal constitution and the constitutive act; and that the state so constituted shall be received and incorporated into the great confederation of Mexico, on terms of equality with the other states of the Union.

To explain the grounds of this application, your memorialists would respectfully invite the attention of the general Congress to the following considerations:—

The consolidation of the late provinces of Coahuila and Texas was, in its nature, provisional, and, in its intention, temporary. The decree of the sovereign constituent Congress, bearing date the 7th of May, 1824, contemplates a separation, and guaranties to Texas the right of having a state government whenever she may be in a condition to ask for the same. That decree provides that, "so soon as Texas shall be in a condition to figure as a state of itself, it shall inform Congress thereof, for its resolution." The implication conveyed by this clause is plain and imperative; and vests in Texas as perfect a right as language can convey, unless it can be presumed that the sovereign constituent Congress, composed of the venerable fathers of the republic, designed to amuse the good people of Texas by an illusory and disingenuous promise, clothed in all the solemnity of a legislative enactment. Your memorialists have too high a veneration for the memory of that illustrious body to entertain any apprehensions that such a construction will be given to their acts by their patriotic successors, the present Congress of Mexico. The decree is dated anterior to the adoption of the federal constitution, and therefore, by a clear and fundamental principle of law and justice, it obviates the necessity of recurring to the correspondent provision in the fiftieth article of that instrument, which requires "the ratification of three fourths of the other states" in order "to form a new state out of the limits of those that already exist." And it assures to Texas—by all the sanctity of a legislative promise, in which the good faith of the Mexican nation is pledged—an exemption from the delays and uncertainties that must result from such multiplied legislative discussion and resolution. To give to the federal constitution, which is the paramount law of the land, a retrospective operation, would establish a precedent that might prove disastrous to the whole system of the nation's jurisprudence, and subversive of the very foundations of the government.

The authority of precedents is decidedly in favor of the position which your memorialists would respectfully sustain before the general Congress. By the *Constitutive Act*, adopted on the 31st of January, 1824, Coahuila, New Leon, and Texas, were joined together, and denominated "the internal eastern state." By a law passed by the constituent Congress on the 7th of May, 1824, that union was dissolved, and the province of New Leon was admitted into the confederacy as an independent state. It is on the *second* article of this law that the people of Texas now predicate their right to a similar admission. The constitutive act, above mentioned, consolidated the late provinces of Chihuahua, Durango, and New Mexico, under the style of "the internal northern state;" and on the 22d of May, 1824, a summary law decreed that "Durango should form a state of the Mexican confederation," and she was admitted accordingly. The same privilege was extended to Chihuahua by a decree of the 6th of July of the same year. These conjunct provinces stood, at the period of their separation, in precisely the same relation to the federal government that Texas and Coahuila now occupy. They have been separated and erected into free and independent states in a summary manner; and the same right was guarantied "whenever she should be in a condition to accept it." The other case, of Sonora and Sinaloa, is materially variant in matter of fact. Those provinces were originally incorporated into the confederation as one state, without any antecedent condition or guaranty; and, at the adoption of the present constitution, they justly became liable to all the forms and restrictions prescribed in that national pact.

We would further suggest to the honorable Congress that the present juncture is peculiarly felicitous for dispensing with interminable and vexatious forms. The federal government is wisely employed in adopting important organic improvements, and aiming at a salutary renovation of the political system. The disasters of an eventful civil convulsion are yielding to the regenerating influences of domestic concord and improved experience; and every department of the confederacy is open to such needful modifications as the wisdom of the renewed Congress may designate. Texas solicits as her portion in the general reformation, to be disenthralled from her unhappy connection with Coahuila; and she avails herself of this opportunity, by means of her chosen delegates, who are the authorized organs of the people, to communicate "to the general Congress" that she is now "in a situation to figure as a state by herself," and is profoundly solicitous that she may be permitted to do so.

The general Congress may possibly consider the mode of this communication as informal. To this suggestion we would, with great deference, reply, that the events of the past year have not only violated the established forms and etiquette of the government, but have suspended, at least, its vital functions; and it would appear exceedingly rigorous to exact from the inhabitants of Texas, living on a remote frontier of the republic, a minute conformity to unimportant punctilios. The ardent desire of the people is made known to the Congress through their select representatives, the most direct and unequivocal medium by which they can possibly be conveyed; and surely the enlightened Congress will readily concur with us in the sentiment that the wishes and wants of the people form the best rule for legislative guidance. The people of Texas consider it not only an absolute right, but a most sacred and imperative duty to themselves, and to the Mexican nation, to represent their wants in a respectful manner to the general government, and to solicit the best remedy of which the nature of their grievances will admit. Should they utterly fail in this duty, and great and irremediable evils ensue, the people would have reason to reproach themselves alone; and the general Congress, in whom the remedial power resides, would also have reason to censure their supineness and want of fidelity to the nation. Under this view, we trust the Congress will not regard with excessive severity any slight departure which the good people of Texas may in this instance have made from the ordinary formalities of the government.

And we would further suggest to the equitable consideration of the federal Congress that, independent of and anterior to the express guaranty contained in the decree of the 7th of May, 1824, the right of having a separate state government was vested in and belonged to Texas, by the fact that she participated as a distinct province in the toils and sufferings by which the glorious emancipation of Mexico was achieved, and the present happy form of government was established. The subsequent union with Coahuila was a temporary compact, induced by a supposed expediency, arising from an inadequate population on the part of Texas "to figure as a state of itself." This inducement was transient in its nature; and the compact, like all similar agreements, is subject to abrogation, at the will of either party, whenever the design of its creation is accomplished, or is ascertained to be impracticable. The obvious design of the union between Coahuila and Texas was, on one part at least, the more effectually to secure the peace, safety, and happiness, of Texas. That design has not been accomplished, and facts piled upon facts afford a melancholy evidence that it is utterly impracticable. Texas never has and never can derive from the connection benefits in any wise commensurate with the evils she has sustained, and which are daily increasing in number and in magnitude.

But our reasons for the proposed separation are more explicitly set forth in the subjoined remarks.

The history of Texas, from its earliest settlement to the present time, exhibits a series of practical neglect and indifference to all her peculiar interests on the part of each successive government which has had the control of her political destinies. The recollection of these things is calculated to excite the most pungent regrets for the past, and the most painful forebodings for the future. Under the several regal dominions, Texas presented the gloomy spectacle of a province, profusely endowed by nature, abandoned and consigned to desolation by the profligate avariciousness of a distant despot. The tyrants of Spain regarded her only as a convenient barrier to the mines of the adjacent provinces; and the more waste and depopulated she was, the more effectually she answered their selfish and unprincipled purpose. Her agricultural resources were either unknown, or esteemed of no value to a government anxious only to sustain its wasting magnificence by the silver and gold wrung from the prolific bosom of Mexico. To foster the agricultural interests of any portion of her splendid viceroyalty, or her circumjacent conquests, was never the favorite policy of Spain. To have done so, would have nurtured in her remote dominions a hardy and industrious population of yeomanry, who have ever proved the peculiar dread of tyrants, and the best assurance of a nation's independence.

It was natural, then, that the royal miscreants of Spain should regard Texas with indifference, if not with a decided and malignant aversion to her improvement. But it would be both unnatural and erroneous to attribute similar motives to the paternal government of independent, confederate, republican Mexico. She can have no interest averse to the common weal; can feel no desire to depress the agricultural faculties of any portion of her common territory; and can entertain no disquieting jealousies, that should prompt her to dread the increase or to mar the prosperity of any portion of her agricultural population. These are the best, the broadest, and the most durable bases of her free institutions.

We must look to other causes, therefore, for the lamentable negligence that has hitherto been manifested toward the prosperity of Texas. The fact of such negligence is beyond controversy. The melancholy effects of it are apparent in both her past and present condition. The cause must exist somewhere. We believe it is principally to be found in her political annexation to Coahuila. That conjunction was, in its origin, unnatural and constrained; and, the longer it is continued, the more disastrous it will prove. The two territories are disjunct in all their prominent respective relations. In point of locality, they approximate only by a strip of sterile and useless territory, which must long remain a comparative wilderness, and present many serious embarrassments to that facility of intercourse which should always exist between the seat of government and its remote population. In respect to commerce and its various intricate relations, there is no community of interests between them. The one is altogether *interior;* is consequently abstracted from all participation in maritime concerns; and is naturally indifferent, if not adverse, to any system of polity that is calculated to promote the diversified and momentous interests of commerce. The other is blest with many natural advantages for extensive commercial operations, which, if properly cultivated, would render many valuable accessions to the national marine, and a large increase to the national revenues. The importance of an efficient national marine is evinced, not only by the history of other and older governments, but by the rich halo of glory which encircles the brief annals of the Mexican navy. In point of climate and of natural productions, the two territories are equally dissimilar. Coahuila is a pastoral and a mining country: Texas is characteristically an agricultural district. The occupations incident to these various intrinsic properties are equally various and distinct; and a course of legislation that may be adapted to the encouragement of the habitual industry of the one district, might present only embarrassment and perplexity, and prove fatally deleterious to the prosperity of the other.

It is not needful, therefore—neither do we desire—to attribute any sinister or invidious design to the legislative enactments or to the domestic economical policy of Coahuila (whose ascendency in the joint councils of the state gives her an uncontrolled and exclusive power of legislation), in order to ascertain the origin of the evils that affect Texas, and which, if permitted to exist, must protract her feeble and dependent pupilage to a period coeval with such existence. Neither is it important to Texas whether those evils have proceeded from a sinister policy in the predominant influences of Coahuila, or whether they are the natural results of a union that is naturally adverse to her interests. The effects are equally repugnant and injurious, whether emanating from the one or the other source.

Bexar, the ancient capital of Texas, presents a faithful but a gloomy picture of her general want of protection and encouragement. Situated in a fertile, picturesque, and healthful region, and established a century and a half ago (within which period populous and magnificent cities have sprung into existence), she exhibits only the decrepitude of age—sad testimonials of the absence of that political guardianship which a wise government should always bestow upon the feebleness of its exposed frontier settlements. A hundred and seventeen years have elapsed since Goliad and Nacogdoches assumed the distinctive name of towns, and they are still entitled only to the diminutive appellation of villages. Other military and missionary establishments have been attempted, but, from the same defect of protection and encouragement, they have been swept away, and scarcely a vestige remains to rescue their locations from oblivion.

We do not mean to attribute these specific disasters to the union with Coahuila, for we know they transpired long anterior to the consummation of that union. But we do maintain that the same political causes, the same want of protection and encouragement, the same mal-organization and impotency of the local and minor faculties of the government, the same improvident indifference to the peculiar and vital interests of Texas, exist *now* that operated then. Bexar is still exposed to the depredations of her ancient enemies, the insolent, vindictive, and faithless Camanches. Her citizens are still massacred, their cattle destroyed or driven away, and their very habitations threatened, by a tribe of erratic and undisciplined Indians, whose audacity has derived confidence from success, and whose long-continued aggressions have invested them with a fictitious and excessive terror. Her schools are neglected, her churches desolate, the sounds of human industry are almost hushed, and the voice of gladness and festivity is converted into wailing and lamentation, by the disheartening and multiplied evils which surround her defenceless population. Goliad is still kept in constant trepidation; is paralyzed in all her efforts for improvement; and is harassed on all her borders by the predatory incursions of the Wacoes, and other insignificant bands of savages, whom a well-organized local government would soon subdue and exterminate.

These are facts, not of history merely, on which the imagination must dwell with an unwilling melancholy, but they are events of the present day, which the present generation feel in all their dreadful reality. And these facts, revolting as they are, are as a fraction only in the stupendous aggregate of our calamities. Our misfortunes do not proceed from Indian depredations alone; neither are they confined to a few isolated, impoverished, and almost-tenantless towns. They pervade the whole territory — operate upon the whole population — and are as diversified in character as our public interests and necessities are various. Texas at large feels and deplores an utter destitution of the common benefits which have usually accrued from the worst system of internal government that the patience of mankind ever tolerated. She is virtually without a *government;* and if she is not precipitated into all the unspeakable horrors of anarchy, it is only because there is a redeeming spirit among the people which still infuses some moral energy into the miserable fragments of authority that exist among us. We are perfectly sensible that a large portion of our population, usually denominated "the colonists," and composed of Anglo-Americans, have been greatly calumniated before the Mexican government. But could the honorable Congress scrutinize strictly into our real condition — could they see and understand the wretched confusion, in all the elements of government, which we daily feel and deplore — our ears would no longer be insulted, nor our feelings mortified, by the artful fictions of hireling emissaries from abroad, nor by the malignant aspersions of disappointed military commandants at home.

Our grievances do not so much result from any positive misfeasance on the part of the present state authorities, as from the total absence, or the very feeble and mutile dispensation, of those restrictive influences which it is the appropriate design of the social compact to exercise upon the people, and which are necessary to fulfil the ends of civil society. We complain more of the *want* of *all* the important attributes of government, than of the abuses of any. We are sensible that all human institutions are essentially imperfect. But there are relative degrees of perfection in modes of government as in other matters, and it is both natural and right to aspire to that mode which is most likely to accomplish its legitimate purpose. This is wisely declared, in our present state constitution, to be "the happiness of those who compose it." It is equally obvious that the happiness of the people is more likely to be secured by a local than by a remote government. In the one case, the governors are partakers, in common with the governed, in all the political evils which result to the community, and have therefore a personal interest in so discharging their respective functions as will best secure the common welfare. In the other supposition, those vested with authority are measurably exempt from the calamities that ensue an abuse of power, and may very conveniently subserve their own interests and ambition, while they neglect or destroy "the welfare of the associated."

But, independent of these general truths, there are some impressive reasons why the peace and happiness of Texas demand a local government. Constituting a remote frontier of the republic, and bordering on a powerful nation, a portion of whose population, in juxtaposition to hers, is notoriously profligate and lawless, she requires, in a peculiar and emphatic sense, the vigorous application of such laws as are necessary, not only to the preservation of good order, the protection of property, and the redress of personal wrongs, but such also as are essential to the prevention of illicit commerce, to the security of the public revenues, and to the avoidance of serious collision with the authorities of the neighboring republic. That such a judicial administration is impracticable under the present arrangement, is too forcibly illustrated by the past to admit of any rational hope for the future.

It is an acknowledged principle in the science of jurisprudence, that the prompt and certain infliction of mild and humane punishment is more efficacious for the prevention of crime than a tardy and precarious administration of the most sanguinary penal code. Texas is virtually denied the benefit of this benevolent rule by the locality and the character of her present government. Crimes of the greatest atrocity may go unpunished, and hardened criminals triumph in their iniquity, because of the difficulties and delays which encumber her judicial system, and necessarily intervene a trial and conviction, and the sentence and the execution of the law. Our "supreme tribunal of justice" holds its sessions upward of seven hundred miles distant from our central population; and that distance is greatly enlarged, and sometimes made impassable, by the casualties incident to a "*mail*" conducted by a single horseman through a wilderness, often infested by vagrant and murderous Indians. Before sentence can be pronounced by the local courts on persons charged with the most atrocious crimes, a copy of the process must be transmitted to an assessor, resident at Leona Vicario (Saltillo), who is too far removed from the scene of guilt to appreciate the importance of a speedy decision, and is too much estranged from our civil and domestic concerns to feel the miseries that result from a total want of legal protection in person and property. But our difficulties do not terminate here. After the assessor shall have found leisure to render his opinion, and final judgment is pronounced, it again becomes necessary to resort to the capital to submit the tardy sentence to the supreme tribunal for "approbation, revocation, or modification," before the judgment of the law can be executed.

Here we have again to encounter the vexations and delays incident to all governments where those who exercise its most interesting functions are removed by distance from the people on whom they operate, and for whose benefit the social compact is created.

These repeated delays, resulting from the remoteness of our courts of judicature, are pernicious in many respects. They involve heavy expenses, which, in civil suits, are excessively onerous to litigants, and give to the rich and influential such manifold advantages over the poor as operate to an absolute exclusion of the latter from the remedial and protective benefits of the law. They offer seductive opportunities and incitements to bribery and corruption, and endanger the sacred purity of the judiciary, which, of all the branches of the government, is most intimately associated with the domestic and social happiness of man, and should therefore be, not only sound and pure, but unsuspected of the venal infection. They present insuperable difficulties to the exercise of the corrective right of recusation, and virtually nullify the constitutional power of impeachment. In criminal actions they are no less injurious. They are equivalent to a license to iniquity, and exert a dangerous influence on the moral feelings at large. Before the tedious process of the law can be complied with, and the criminal — whose hands are perhaps imbrued in a brother's blood — be made to feel its retributive justice, the remembrance of his crime is partially effaced from the public mind; and the righteous arbitrament of the law, which, if promptly executed, would have received universal approbation, and been a salutary warning to evil-doers, is impugned as vindictive and cruel. The popular feeling is changed from a just indignation of crime, into an amiable but mistaken sympathy for the criminal; and an easy and natural transition is converted into disgust and disaffection toward the government and its laws.

These are some of the evils that result from the annexation of Texas to Coahuila, and the exercise of legislative and judicial powers by the citizens of Coahuila over the citizens of Texas. The catalogue might be greatly enlarged, but we forbear to trespass on the time of the honorable Congress (confiding to the worthy citizens, who shall be charged with the high duty of presenting this memorial, and the protocol of a constitution, which the people of Texas have framed, as the basis of their future government, the more explicit enunciation of them). Those evils are not likely to be diminished, but they may be exceedingly aggravated by the fact that that political connection was formed without the cordial approbation of the people of Texas, and is daily becoming more odious to them. Although it may have received their reluctant acquiescence, in its inception, before its evil consequences were developed or foreseen, the arbitrary continuance of it now, after the experience of nine years has demonstrated its ruinous tendencies, would invest it with some of the most offensive features of usurpation. Your memorialists entertain an assured confidence that the enlightened Congress of Mexico will never give their high sanction to anything that wears the semblance of usurpation, or of arbitrary coercion.

The idea may possibly occur, in the deliberations of the honorable Congress, that a territorial organization would cure our political maladies, and effectuate the great purposes which induce this application; and plausible reasons may be advanced in favor of it. But the wisdom of Congress will readily detect the fallacy of these reasons, and the mischief consequent to such vain sophistry. In this remote section of the republic, a territorial government must, of necessity, be divested of one essential and radical principle in all popular institutions—the immediate responsibility of public agents to the people whom they serve. The appointments to office would, in such case, be vested in the general government; and although such appointments should be made with the utmost circumspection, the persons appointed, when once arrayed in the habiliments of office, would be too far removed from the appointing power to feel the restraints of a vigilant supervision and a direct accountability. The dearest rights of the people might be violated, the public treasures squandered, and every variety of imposition and iniquity practised, under the specious pretext of political necessity, which the far-distant government could neither detect nor control.

And we would further present with great deference, that the institution of a territorial government would confer upon us neither the form nor the substance of our high guaranty. It would, indeed, diversify our miseries, by opening new avenues to peculation and abuse of power; but it would neither remove our difficulties nor place us in the enjoyment of our equal and vested rights. The only adequate remedy that your memorialists can devise, and which they ardently hope the collective wisdom of the nation will approve, is to be found in the establishment of a *local state government*. We believe that if Texas were endowed with the faculties of a state government, she would be competent to remedy the many evils that now depress her energies, and frustrate every effort to develop and bring into usefulness the natural resources which a beneficent Providence has conferred upon her. We believe that a local legislature, composed of citizens who feel and participate in all the calamities which encompass us, would be enabled to enact such conservative, remedial, and punitive laws, and so to organize and put into operation the municipal and inferior authorities of the country, as would inspire universal confidence; would encourage the immigration of virtuous foreigners—prevent the ingress of fugitives from the justice of other countries—check the alarming accumulations of ferocious Indians, whom the domestic policy of the United States of the North is rapidly translating to our borders; would give impulse and vigor to the industry of the people—secure a cheerful subordination and a faithful adhesion to the state and general governments; and would render Texas what she ought to be—a strong arm of the republic, a terror to foreign invaders, and an example of peace and prosperity—of advancement in the arts and sciences, and of devotion to the Union—to her sister-states. We believe that an executive chosen from among ourselves would feel a more intense interest in our political welfare, would watch with more vigilance over our social concerns, and would contribute more effectually to the purposes of his appointment. We believe that a local judiciary, drawn from the bosom of our own peculiar society, would be enabled to administer the laws with more energy and promptitude—to punish the disobedient and refractory—to restrain the viciousness of the wicked—to impart confidence and security, of both person and property, to peaceable citizens—to conserve and perpetuate the general tranquillity of the state—and to render a more efficient aid to the coordinate powers of the government, in carrying into effect the great objects of its institution. We believe that, if Texas were admitted to the Union as a separate state, she would soon "figure" as a brilliant star in the Mexican constellation, and would shed a new splendor around the illustrious city of Montezuma. We believe she would contribute largely to the national wealth and aggrandizement—would furnish new staples for commerce, and new materials for manufactures. The cotton of Texas would give employment to the artisans of Mexico; and the precious metals, which are now flowing into the coffers of England, would be retained at home, to reward the industry and remunerate the ingenuity of native citizens.

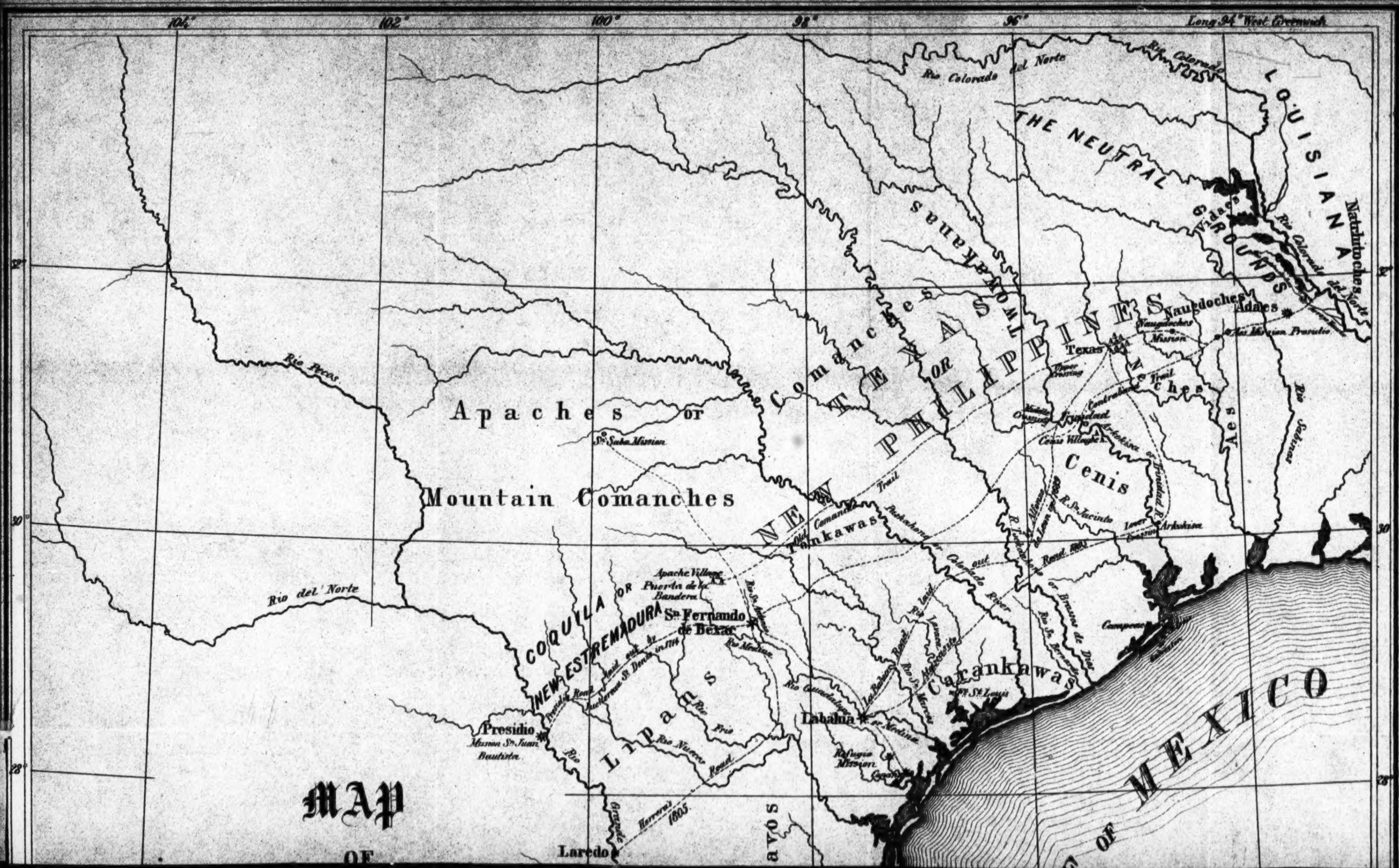
The honorable Congress need not be informed that a large portion of the population of Texas is of foreign origin. They have been invited here by the munificent liberality and plighted faith of the Mexican government; and they stand pledged by every moral and religious principle, and by every sentiment of honor, to requite that liberality, and to reciprocate the faithful performance of the guaranty to "protect their liberties, property, and civil rights," by a cheerful dedication of their moral and physical energies to the advancement of their adopted country. But it is also apparent to the intelligence of the honorable Congress that the best mode of securing the permanent attachment of such a population is, to incorporate them into the federal system, on such equitable terms as will redress every grievance, remove every cause of complaint, and insure, not only an identity of interests, but an eventual blending and assimilation of all that is now foreign and incongruous. The infancy of imperial Rome was carried to an early adolescence by the free and unrestricted admission of foreigners to her social compact. England never aspired to "the dominion of the seas" until she had united the hardiness of Scotland and the gallantry of Ireland to her native prowess. France derives her greatness from the early combination of the Salii, the Frank, and the Burgundian. And Mexico may yet realize the period when the descendants of Montezuma will rejoice that their coalition with the descendants of Fernando Cortez has been strengthened and embellished by the adoption into their national family of a people drawn by their own gratuitous hospitality from the land of Washington and of freedom.

For these and other considerations, your memorialists would solemnly invoke the magnanimous spirit of the Mexican nation, concentrated in the wisdom and patriotism of the federal Congress. And they would respectfully and ardently pray that the honorable Congress would extend their remedial power to this obscure section of the republic; would cast around it "the sovereign mantle of the nation," and adopt it into a free and plenary participation of that "constitutional *régime*" of equal sisterhood which alone can rescue it from the miseries of an ill-organized, inefficient, internal government, and can reclaim this fair and fertile region from the worthlessness of an untenanted waste, or the more fearful horrors of barbarian inundation.

Your memorialists, on behalf of their constituents, would, in conclusion, avail themselves of this opportunity to tender to the honorable Congress their cordial adhesion to the *plan of Zavaleta;* and to express their felicitations on the happy issue of the late unhappy conflict. They would also declare their gratitude to the patriot-chief and his illustrious associates whose propitious conquests have saved from profanation "the august temple in which we have deposited the holy ark of our federal constitution," and have secured the ultimate triumph of the liberal and enlightened principles of genuine republicanism. And they would unite their fervent aspirations with the prayers that must ascend from the hearts of all good Mexicans, that the Supreme Ruler of the universe, who "doeth his will in the army of heaven, and among the inhabitants of the earth," would vouchsafe to this glorious land the blessings of peace and tranquillity; would preserve it, in all future time, from the horrors of civil discord; and would shed down upon its extended population the increased and increasing effulgence of light and liberty which is fast irradiating the European continent, and extirpating the relics of feudal despotism of the antiquated errors of a barbarous age from the civilized world.

DAVID G. BURNET,
Chairman of the Committee.

END OF VOLUME I

104°
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Naugdoches Mission
Aes Mission Presidio
Texas
Upper Crossing
Trail
Neches
Aes
Rio Sabinas
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Trinidad
Contraband
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Arkokisa or Trinidad R.
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R. St. Jacinto
Lower Crossing
Arkokisa
Alliones
R. Tockonhono or Brazos de Dios
Road 1805
Rio Pecos
Apaches or
St. Saba Mission
Mountain Comanches
Old Comanche Trail
Tonkawas
Puskahoni or Colorado River
out
Rio del' Norte
COQUILA OR NEW ESTREMADURA
Apache Village
Puerta de la Bandera
St. Fernando de Bexar
Rio St. Antonio
Rio Medina
Road laid out by Andereau St. Denis in 1714
Presidio Road
Lipans
Rio Frio
Rio Nueces
Road
Herrera's 1805
Presidio
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Rio Grande
Laredo
Rio Guadalupe
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or Medina
La Bahia Road
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Rio Lavaca
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Carankawas
Ft. St. Louis
Refugio Mission
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GULF OF MEXICO
MAP
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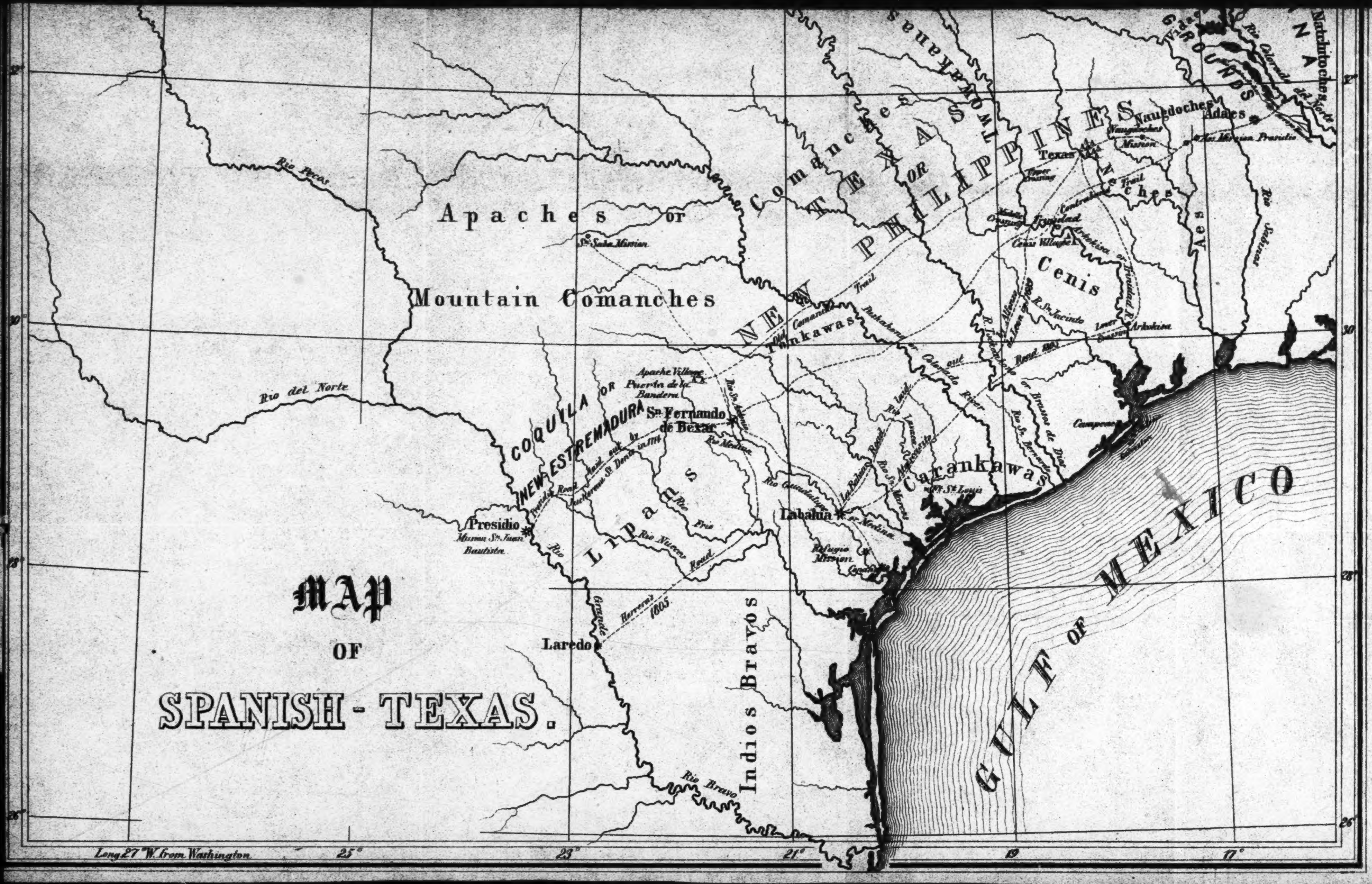

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HISTORY OF TEXAS

FROM

ITS FIRST SETTLEMENT IN 1685

TO

ITS ANNEXATION TO THE UNITED STATES IN 1846

By H. YOAKUM, Esq.

IN TWO VOLUMES

VOL. II.

WITH AN EXTENDED APPENDIX

REDFIELD
34 BEEKMAN STREET, NEW YORK
1856

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With many thanks to kind friends for valuable historical papers, and more especially to yourself for many facts and suggestions, I am very truly your friend,

H. YOAKUM.

SHEPHERD'S VALLEY, TEXAS, *February* 26, 1855.

CONTENTS OF VOLUME II.

CHAPTER I.

REASSEMBLING of the Consultation at San Felipe—Declaration of Adherence to the Mexican Constitution of 1824—Provisional Government established—Election of Governor, Lieutenant-Governor, and Commander-in-Chief—Commissioners to the United States—Adjournment—Council left to aid the Governor—Regular Army created—Movements of the Army at Concepcion—Description of San Antonio—The Siege—Efforts of the Enemy—The "Grass-Fight"—Fight of the 8th of November—Fight at Lipantitlan, November 3d—Effect of these Battles in the United States—in Mexico—Austin's Departure from the Army—Dr. James Grant—Proposed Attack on Matamoras—New Orleans Grays—Preparations for storming San Antonio on the 4th of December—Descent under Milam, on the 5th, at Daybreak—The Contest—Death of Milam—Zambrano Row—Priest's House—Enemy propose to capitulate on the 9th—Capitulation on the 10th—Occurrences of the Assault—Aid to Texas—Governor Smith and his Council—Unfortunate Descent on Tampico—Mexican Navy—The "William Robbins" .... PAGE 11

CHAPTER II.

Aspiring Men in Texas—Seditious Effort of the 19th of December—Houston aiding in organizing the Army—Rusk and Fannin—General Mexia—First Rupture between the Governor and Council—Barrett and Gritton—Movement upon Matamoras—Declaration of Independence at Goliad—Location of Staff-Officers—Houston's Headquarters removed to Washington, December 25th—Order to Fannin—Matamoras—Fannin, Johnson, and Grant, set out—Troops at Bexar—Their Destitute Condition—Quarrel between the Governor and Council—Governor deposes the Council—The Council depose the Governor—Houston's Departure for the West, January 8th—The Question of Independence discussed—Affairs at Refugio—Order to demolish the Alamo—Not obeyed—Description of Western Prairie—Texan Loan—Houston's Return to the Brasos—Indian Treaty—Mexico in January, 1836—Santa Anna sets out for Texas in Person—His Plan—Condition of Texas to meet him—Struggle between the Governor and Council—First Texan Laws .... PAGE 40

CHAPTER III.

David Crockett—Viesca—Meeting of the Convention, March 1st—Independence declared, March 2d—Houston re-elected Commander-in-Chief—Preparations for the War—Constitution of the Republic adopted—Burnet President *ad interim*—Zavala Vice-President—Cabinet—Houston sets out for the West, March 6th—The Alamo invested by the Enemy, February 23d—The Siege—Travis calls for Aid—Thirty-two Recruits from Gonzales—The Place stormed on the 6th of March, and the Garrison butchered—Johnson defeated at San Patricio—Grant at Agua Dulce—Tragic Death of Grant—Fannin's Position—Advance of Urrea from San Patricio—King sent out after some Families at Refugio—Order to Fannin to fall back—Sends Ward after King—King and Ward both cut off—King and his Force taken and killed—Fannin sets out on his Retreat—Overtaken by Urrea—Battle of the Coleta—Surrender of Fannin—Ward taken—Miller taken at Copano—Massacre of the Commands of Fannin and Ward, March 27, 1836 .... PAGE 70

CHAPTER IV.

Santa Anna thinks the War ended—Proposes to return to Mexico—Filisola objects—Movements ordered—The Texan Forces at Gonzales—On Receipt of the News of the Fall of the Alamo, retreat—Arrive at the Colorado, March 17th—General Alarm and Flight in Texas—Army at Beason's—Send for Munitions—Seat of Government removed from Washington to Harrisburg—Captain Karnes's Skirmish—Attempt to draw out the Enemy—Receipt of the News of Fannin's Defeat—Retreat from the Colorado, March 26th—Forbes arrives with a Reinforcement—Efforts to defend the Brasos—Movements of the Enemy—Flight of the People—Distress—Santa Anna repulsed at San Felipe—Crosses at Fort Bend—Houston crosses at Groce's, and calls in Outposts—Santa Anna marches on Harrisburg, April 15th—The "Twin-Sisters"—Texan Navy—Eastern Texas—Alarm there.................... PAGE 102

CHAPTER V.

Houston marches on Harrisburg—Dispositions of Indians and Disaffected Whites—Deaf Smith takes the Mexican Mail—Important Information—Address to the Texans, April 19th—Crossing of Buffalo Bayou—Narrow Escape of President Burnet—Texan Camp on the San Jacinto—Affair of the 20th—Enemy reinforced by Cos on the Morning of the 21st—Texan Council of War—Deaf Smith sent to cut down Vince's Bridge—Preparations for Battle—The Attack—Defeat and Capture of the Enemy, including Santa Anna—Interview between Houston and Santa Anna—Santa Anna's Order to Filisola—Consequences of the Victory—Negotiations with Santa Anna—Treaty of Velasco—The United States and Mexico.............................. PAGE 131

CHAPTER VI.

Retreat of Filisola—Followed by the Texans under Rusk—General Gaines—Eastern Frontier—Indian Movements—Massacre at Fort Parker—Attempt to send off Santa Anna under the Treaty—Resisted by the Texan Troops—President Burnet—Santa Anna's Protest—Collingsworth and Grayson despatched to the United States—Feeling in the United States—Value of Santa Anna as a Prisoner—Feeling in Mexico—Feat of the "Horse-Marines" in Texas—Return of General Austin—Appointment of Mirabeau B. Lamar to the Command-in-Chief of the Army—Resisted by the Troops—He retires .... PAGE 161

CHAPTER VII.

Low Credit of Texas—Houston's Movements—United States Congress favorable to acknowledging Texan Independence—Morfit sent out to Texas—Texan Army and Navy—Santa Anna removed to Columbia—Attempt to escape—Candidates for President of Texas—Houston elected President and Lamar Vice-President—Effort to remove and try Santa Anna by Court-Martial—Opposed by Burnet and Houston—View of Jackson and Gaines on that Subject—Population of Texas—Houston's Inauguration—Proceedings of First Texan Congress—United States and Mexico on Bad Terms—Death of Austin and Zavala—Santa Anna sent home by way of Washington City—Arrived at Washington, January 17, 1837—Cold Reception in Mexico—General Hamilton offered the Command of the Texan Army—Declines—The Enemy threatens a Second Invasion—The Messrs. Toby and Brothers—Texan Independence acknowledged by the United States—Declined Annexation—Volunteers from the United States—Deaf Smith at Laredo—Skirmish—Mexicans in Texas—Seguin and Rodrigues—Funeral Honors to the Dead of the Alamo—Mexican Blockade of Texas—Capture of the "Independence"—William H. Wharton—Texan Navy cruise to Yucatan—Depredations of the Indians—Second Session of Congress at Houston, May, 1837—*Emeute* in Mexico—Texan Army furloughed—the Whartons—Sea-Fight before Galveston Bar, August 25, 1837—Eastern Boundary of Texas .... PAGE 189

CHAPTER VIII.

Religious Movement in Texas—Faith of the Immigrants—Toleration—The First Protestant Missionaries—Henry Stephenson, 1818—Joseph Bays, 1826—Sumner Bacon, 1828—Thomas Hanks, 1829—Milton Estill, 1833—Presbyterians and Episcopalians in 1838—Ecclesiastical Committee of Vigilance, 1837—Charles Compté de Farnesè—His *Projet*—Indian Troubles—Benthuysen's Fight, November 10, 1837—Land-Titles—Closing of the Land-Office—History of Land-Titles—Titles to the Mission-Lands—Spanish, Colonial, and Texan Titles—Immigration in 1838—Trade increased—Quarrel between France and Mexico—Contract with Dawson, of Baltimore, to build Vessels for a Navy—Promissory-Notes—Going down—Second Presidential Election—Lamar chosen President, and Burnet Vice-President—The Mexican Revolt at Nacog-

doches—Cordova and others—Battle at José Maria Village, October 28, 1838 —At Kickapoo Town, November 16th—Third Congress—Texan Finances—Death of Collingsworth—John A. Wharton .... PAGE 219

CHAPTER IX.

Inauguration of President Lamar—His Inaugural Address—Opposes Annexation to the United States—Capture of Vera Cruz by the French Squadron under Admiral Baudin—Lamar's Message to Congress—Favors the Establishment of a National Bank—Further Fighting in Mexico—Santa Anna loses his Leg in expelling the French from Vera Cruz—France makes Peace with Mexico, March 9, 1839—Federal Party in Mexico—Friendly to Texas—Battle of Acajete—Cordova's Treachery—Mexican Plan of stirring up the Indian Tribes against the People of Texas—Capture of Flores—Moore's Campaign against the Indians—Battle with the Camanches, February 15, 1839—Burleson's Fight, February 28th—Bird's Fight, May 27th—History of the Cherokees—Campaign against them—Battle of July 15th—Of the 16th—Bowles, their principal Chief, killed—Destruction of Indian Farms—Relations of Texas with European Powers—Appointment of Commissioners to select a Site for the Seat of Government—Its Location at Austin—Federal Campaign of 1839—Battle of Alcantro, and Defeat of the Centralists, October 3, 1839—Surrender of General Parbon—Canales, the Federalist Chieftain, before Matamoras—Before Monterey—Desultory Fighting—Treachery of Canales, and Retreat of the Texan Auxiliaries—Meeting of the Fourth Texan Congress—Stern Indian Policy of Lamar—Texan Finances—General Hamilton's Mission to England and France—Fraudulent Land-Certificates...................... PAGE 252

CHAPTER X.

Immigration from the United States increases—The Public Credit gets worse—Common Law adopted—Civil War in Mexico—Federal Campaign of 1840—"Republic of the Rio Grande" proclaimed by General Canales—Federalists defeated at Morales, March 15, 1840—Canales at Austin, seeking Recruits—Colonels Jordan and Fisher, commanding the Texan Federalist Auxiliaries—Interesting March of the Texans—Their Vicissitudes—Treachery of Colonels Lopéz and Molano—Battle of Saltillo, and Victory over the Centralists commanded by General Vasquez, October 23, 1840—Safe Retreat of the Texans to their own Country—Massacre of Camanches in the Council-Room at San Antonio, March 19, 1840—Descent of the Camanches on a Marauding Expedition against Victoria and Linnville—Assembling of Volunteers and Pursuit of the retreating Savages—Battle of Plum Creek, August 12, 1840—Moore's Campaign against the Indians—Defeat of the Camanches on the Upper Colorado, October 24, 1840—The National Loan not taken—Attempt to run the Eastern Boundary of the Republic—The Texan Navy—Newspapers—The Fifth or "Reform Congress"—Treaties negotiated with Great Britain, Holland, and Belgium—Monroe Edwards—His Schemes—Commerce of Texas—Roads—Santa Fé .... PAGE 285

CHAPTER XI.

Gloomy Prospects—Hamilton's Negotiations for the Loan—Affair of M. De Saligny—Bullock's Pigs—Efforts of Texas for Peace—Treaty with Yucatan—Freebooters on the Rio Grande—Deportation of Captain Dimit—His Tragical Death—Jack Hays's Fight, April 7, 1841—Santa Fé Expedition—Journey through the Prairies—Treachery of Captain Lewis—Surrender of the Texans to Governor Armijo, of New Mexico—Their Cruel Treatment—Houston re-elected President—Burleson chosen Vice-President—Attempt to make a new Treaty with the United States—Endeavor to open Intercourse with Spain—The Treasury bankrupt—Exchequer Bills—Mr. Gouge's Strictures—Houston's Second Term—Indian Policy—Finances—Exchequer Bills—Reform Congress—Proposed Belgian Loan—Destruction of the Paper System—Steps taken to release the Santa Fé Prisoners—New Extension *Projet* of the Texan Congress—Annexation Question—Tyler's Position .... PAGE 314

CHAPTER XII.

Movements of the "Reform Congress" of 1842—A Detachment of the Enemy, under Vasquez, enters San Antonio, March 5, 1842—Their Conduct and Retreat—Texan Troops at San Antonio—Generals Somervell and Burleson—Volunteers from the United States—Removal of the National Archives from Austin—General Davis in command of the Troops on the Nueces—Santa Anna and General Hamilton—Special Session of Congress, June 27, 1842—War-Bill—Its Veto by Houston—Affair at Lipantitlan, July 7, 1842—General Woll enters San Antonio, September 11, 1842—Texans under Captain Coldwell—Battle of the Salado, and Defeat of Woll by Hays, September 17, 1842—Massacre of the Force under Dawson—Treachery of Colonel Seguin—Retreat of General Woll—Troops under Somervell—March to the Rio Grande—Plunder of Laredo—Return of Troops under Colonel Bennett—Order to return home—Command disobeyed by a Portion of the Texans—Captain William S. Fisher elected to the Command—Entry into Mier—Battle of the 25th and 26th of December, 1842—Capture of Fisher's Command—Revolt of the Mier Prisoners at the Hacienda Salado—Retaken and marched to Mexico—Decimation of the Prisoners by Order of Santa Anna—Captain Cameron...... PAGE 348

CHAPTER XIII.

Meeting of the Seventh Texan Congress at Washington, on the Brasos, November 14, 1842—Texan Navy—Captain Moore—Secret Act to sell the Navy—President Houston's Proclamation—Return of the Navy—Doings of the Congress in January, 1843—"Lawyer Robinson" and Santa Anna—Answer to Santa Anna—Mediation of Great Britain, France, and the United States—Its Failure—Divisions in Texas—Discussions concerning the Mier Expedition—Sufferings of the Prisoners—Snively's Expedition—Its Departure, April 25, 1843, for the Santa Fé Road—Arrival there—Battle of June 20, 1843, with the Mexicans—Texans disarmed by Captain Cooke, of the United States Army—Further Attempt to pursue the Caravan of Mexican Traders—The Expedition returns home—Captain Hays on the Rio Grande—Jackson's Opinion of the Santa Fé Expedition—Suspension of Diplomatic Intercourse between Great Britain and Mexico—Armistice between Texas and Mexico—Question of Annexation—Prosperity of Texas .... PAGE 379

CHAPTER XIV.

Further of the Armistice—Diplomacy of Great Britain—Jealousy of the United States—Revival of the Question of Annexation—France and Great Britain protest—Popularity of the Measure—Nomination of Polk—Tyler's Treaty rejected by the Senate—Jackson's View of it—Its Effect in Texas—Her Prosperous Condition—Colony Contracts—Presidential Election in Texas—War of the "Regulators" and "Moderators"—Election of Polk—Passage of the Annexation Resolutions—Jackson's Advice to Texas—Last Effort of Mexico, and of the British and French Governments—Annexation approved by Texas—Conclusion .... PAGE 412

APPENDIX.

1. Official Correspondence of the Commander-in-Chief of the Texan Army in 1835–'36 .... PAGE 445
2. Documents relating to the Commander-in-Chief 507
3. Names, Age, Place of Birth, and Former Residence, of the Signers of the Texan Declaration of Independence, March 2, 1836 512
4. Documents in Relation to the Massacre of Colonel Fannin and his Command, on Sunday Morning, March 27, 1836, at Goliad 514
5. Treaty of Velasco, May 14, 1836 526
6. Letter from General Santa Anna to General Sam Houston, November 5, 1836 530
7. Sketch of the Rise and Progress of the Different Religious Protestant Denominations of Christians in Texas 532
8. Letter from President Houston to President Santa Anna, March 21, 1842 544
9. List of the Governors of Texas 559

HISTORY OF TEXAS.

CHAPTER I.

The consultation reassembled at San Felipe de Austin, on the first of November, 1835; but, for want of a quorum, they did not organize until the third day of the month. There were present fifty-five members, representing the thirteen municipalities of Texas.* Their session continued till the 14th of that

* Municipality of *Bevil:* John Bevil, S. H. Everitt, Wyatt Hanks.

San Augustine: William N. Sigler, A. Huston, A. E. C. Johnson, Henry Augustin, A. Horton, A. G. Kellogg.

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Mina: D. C. Barrett, R. M. Williamson, J. S. Lester.

Washington: Asa Mitchell, Elijah Collard, Jesse Grimes, Philip Coe, Asa Hoxey.

Gonzales: W. S. Fisher, J. D. Clements, George W. Davis, James Hodges, William W. Arrington, Benjamin Fuqua.

Viesca: S. T. Allen, A. G. Perry, J. G. W. Pierson, Alexander Thompson, J. W. Parker.

Tenehaw: Martin Parmer. — *Journal of Consultation.*

month, during which period they were industriously engaged in organizing a provisional government, and providing means for its support. Branch T. Archer,* the president of the assembly, opened its business in an appropriate address. The general council, which had, up to that time, exercised the authority of government, surrendered it to the consultation. A committee of twelve, of which John A. Wharton was chairman, was appointed to prepare a *declaration* of the causes which impelled the Texans to take up arms. A like committee, of which Henry Millard was chairman, was appointed "to draw up and submit a plan or system of a *provisional government.*"

On the 7th, the consultation, after much discussion, adopted the declaration.† It was not one of independence, but of adherence to the constitution of 1824. It is likely that the entire body saw that the end would be independence; but they deemed it prudent to move slowly, and first unite all parties in the revolution. The great object of the leading men was, that their actions should be approved by the world. They feared that a precipitate declaration of independence would not meet that approval. Texas needed sympathy and aid. By a defensive course, she would obtain it. Such was the policy of her leaders, and time has shown its wisdom. They expected also to induce some of the other Mexican states to follow their example in declaring their adherence to the federal constitution, but in this they were not successful. There was, in some parts of Mexico, a feeble response in favor of liberty, but the bayonets of Santa Anna reduced it to silence. It may also be observed that, in November, 1835, public opinion in Texas was hardly prepared for a change so sudden.

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* Dr. Archer emigrated to Texas in 1831. For a sketch of his history, see Foote's History of Texas, vol. ii., p. 12.

† Journal, p. 51. The committee first reported in favor of a declaration of independence. It was adopted, and then reconsidered. "How the convention will decide is uncertain, but the probability is in favor of the constitution as a matter of policy only, as all agree we must go, sooner or later, for independence."—*J. W. Robinson to Frost Thorn, November* 3, 1835.

The ordinance "establishing a provisional government" was completed on the 13th day of November, 1835.* It is the earliest specimen of Anglo-Saxon law ever enforced in Texas. Its provisions were few, and such as the emergency required. It created a governor, lieutenant-governor, a council, to be elected from the consultation (one from each municipality), a provisional judiciary, a commander-in-chief, &c.

The consultation adjourned, to meet at Washington, on the 1st day of March, 1836; providing, however, that the governor and council should continue to exist as a provisional government until its reassembling. The commander-in-chief was declare[illegible] be such "of all the forces called into public service during the war;" and he was "to be subject to the governor and council." These provisions are more especially referred to here, because of the discord and misfortunes resulting therefrom.

Two days before the adjournment of the consultation, they elected Henry Smith governor† and James W. Robinson lieutenant-governor of Texas. Smith was chosen by a majority of nine votes over Stephen F. Austin. It was at first intended that Austin should be governor;‡ but his services being more needed as a commissioner to the United States, he was spared the misfortune of being the first governor of Texas. Robinson had no opposition. Sam Houston was elected commander-in-chief, with but one dissenting voice. Messrs. Branch T. Archer, William H. Wharton, and Stephen F. Austin, were duly chosen commissioners to the United States. Messrs. A. Huston, Daniel Parker, Jesse Grimes, A. G. Perry, D. C. Barrett, Henry Millard, Martin Parmer, J. D. Clements, R. R. Royal, W. P. Harris, E. Waller, and W. Hanks, were the council elected out of the consultation, to remain and co-operate with Governor Smith in carrying out the organic law.*

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* Journal, p. 42.

† Henry Smith was a native of Kentucky. He emigrated to Missouri, and thence to Texas. He was of moderate height, quite fleshy, of fine social qualities, racy and interesting in conversation, not easily irritated, but extremely obstinate in maintaining his opinions.

‡ J. W. Robinson to Frost Thorn, November 3, 1835: MS.

In addition to other important matters, it was provided that "there should be a regular army created for the protection of Texas during the present war." To give aid and assistance in organizing this army, in adopting rules for its government, and in providing the *personnel* and *materiel*, General Houston remained in attendance on the governor and council until the 16th of December, when he was ordered to remove his headquarters to Washington.

To return to the Texan army at Concepcion. The entire Texan force at this point was at least a thousand men. After remaining at Concepcion until the 2d of November, the army marched, by way of the powder-house, on the slope of a gentle ridge, east of the San Antonio river, near to its head, and camped on the east bank. Here they remained for four or five days, keeping up a constant patrol around the town. From intelligence received, it was supposed that General Cos would surrender upon demand. Although the information was not very reliable, yet, as he had been greatly straitened by the siege, and his supplies were cut off, it was deemed of sufficient importance to make the attempt. Accordingly, the Texan army was marched to the west side and down the San Antonio river, and the entire force displayed on an eminence, some fifteen hundred yards from the public square. The demand for a surrender was then made, and promptly refused. The Texans thereupon took position at the "Old Mill," a half-mile or more north of the public square, on the west bank of the San Antonio river.

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* The members of the council were constantly changing. On the first day of the meeting, we find the municipalities of Jefferson and Victoria, for the first time, represented.

The city of San Antonio is situated on the San Antonio river and San Pedro creek. These streams at the city are about six hundred and fifty yards apart; but, on the east side of the place, there is a remarkable bend in the river, enclosing about twenty-five acres, into which the town also extends. Opposite this bend, on the east bank of the river, is the ancient mission of the Alamo. The country around San Antonio is generally a level prairie, more undulating, however, on the west than on the east side of the river. There is an eminence west of the town, toward the Alazan; and another above the old mill, but not sufficiently near or elevated to command the town, except with twelve or eighteen pounders. The river, about sixty feet wide, is in most places fordable. It seldom rises or falls, but sends forth a constant stream of the purest water. The lowness of its banks and the levelness of the grounds offer great facilities for irrigation; hence the ditches, running down on both sides of the river, and between the two streams, not only answer the purpose of fertilizing the land, but also for defence. As no advantage could be gained by either party in location, the chief benefit must result to the besieged from the buildings and ditches. The houses, of thick stone walls, were very strong. The public square of San Antonio is divided by the church and some other buildings into two; or, rather, the original square, or military *plaza*, was first laid off and improved in 1716, having on its east side the church, and the offices of priests and officers. In 1731, was laid off the main square, or *Plaza of the Constitution*. Along the north side of these squares, runs through the centre of the city the main street, which is prolonged east of the river to the *Garita*, or Look-out, used also as a powder-house, about one and a quarter miles from the town. At the crossing of the river by this street was a bridge, the only one then on the river.

While the Texan army was hanging about the town, Cos was not idle. Ugartachea was despatched to Matamoras for reinforcements; breastworks were thrown up at the entrance of every street into the square; and, on an open lot, on the north side of the military plaza, was erected a redoubt. The venerable church was also brought into the service, and artillery mounted behind the parapet on its roof. The Mexican force in the place was at this time about eight hundred men, with sufficient artillery to defend the different points fortified. The Texans had but five pieces, of small calibre. Previous to the departure of the Texan army from Concepcion, a council of war had been called by Austin, to consider the propriety of an immediate assault upon the town. It was concluded that it could be made, and the place taken, but at a greater sacrifice of men than the Texans could afford to bear; hence a regular siege was ordered.

"I am afraid," says Austin, writing to Captain Dimit, on the 2d of November, "that our future operations will be tedious and prolonged, owing to the strength of the fortifications at this place, of which we have certain information. Whether the army can be kept together long enough to await the arrival of reinforcements, and the necessary supply of heavy battering-cannon and ammunition, I am sorry to say, is somewhat uncertain."

Various attempts were made to entice the enemy beyond his walls. On one occasion, a detachment of one hundred and ninety Texans marched up within the range of the Mexican six-pounders; on another, Colonel Thomas J. Rusk, at the head of forty cavalry, took a position within three hundred yards of their walls, and remained there twenty minutes: still they could not be drawn from their works.* It was the opinion of Austin, on the 14th of November, that the enemy could not long hold out.† To lessen their consumption of provisions, the Mexicans sent off three hundred of their horses to Laredo; but they were overtaken and captured, about forty miles from San Antonio, by a detachment under Travis.‡ The poor condition of these horses indicated the wants of the besieged. But Cos, awaiting his reinforcements, still held out. Occasional conflicts between the outposts and scouts of the two armies constituted the only subjects of interest in camp for several days. Volunteers, always impatient while inactive, had manifested this feeling in the camp before Bexar. They found amusement and interest in catching the exhausted cannon-balls of the enemy, and throwing them back; they also derived some pleasure from scouting-excursions of two or three days' continuance. But, in spite of all this, the besieging force was continually decreasing; so that, by the 14th of November, they did not number six hundred men.

One of these scouting-parties, that had been down on the Medina, returned about ten o'clock on the morning of the 26th of November, leaving "Deaf Smith" behind. It was known that Ugartachea was expected in Bexar, and this scout had been on the look-out for him. It happened that on that morning, General Cos had sent out a party of over a hundred men on the old Presidio road, to cut grass for the horses. Having supplied themselves with forage, they were on their way back, and about five miles from town, when Deaf Smith discovered them. About two o'clock in the evening he reached the Texan camp, and reported what he supposed to be Ugartachea, with a guard, bringing funds to pay off the Mexican army—for it was understood in the Texan camp that such was his mission. Immediately the cry of "Ugartachea!" resounded along the lines; and all who could, prepared to go in pursuit of him. It may be proper to state here that on the 25th (the day before), Austin, having received news of his appointment as commissioner to the United States, resigned his command of the army, and Colonel Edward Burleson had just been elected to succeed him. Colonel James Bowie, with about a hundred mounted men, set out in a gallop, in advance. Shortly after, the remainder of the army, with the exception of a suitable guard, followed. They met the enemy about a mile from the town, on their return. Bowie, with the advance, charged upon them, when they took a position in the bed of a dry branch. The movement of the Texans had been seen from the town, and the besieged marched out to defend the foraging-party, bringing with them two pieces of artillery. Just as Bowie charged the right of the foraging-party, the besieged came up on the left. Bowie now turned his attention to the latter, and for a short time the battle was well sustained. The enemy, however, retreated as they fought. The main body of the Texan force coming up meanwhile, charged on the foraging-party, drove them from the bed of the dry branch, and took position in it. After the last charge, the enemy retreated yet more rapidly—still, however, continuing the fight until they reached the town, when the Texans formed in a ravine, but shortly afterward returned to their camp. The Mexican loss in this confused, running fight, was about fifty killed and several wounded. The Texans had none killed, two wounded, and one missing. The enemy lost about seventy head of horses, taken by the victors.

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* Rusk to Houston, November 14, 1835: MS.

† Austin to Houston, November 14, 1835: MS.

‡ Foote, vol. ii., p. 126.

The history of this affair, known as the "Grass-Fight," has been greatly confused. The official account is hardly intelligible. Kennedy has confounded it with another occurrence, of the 8th of the same month, which happened on this wise: A party of thirty-two men, under the command of Captain William Austin (a cousin of Stephen F.), went out, on the day in question, in search of Ugartachea. When arrived at the place where the "Grass-Fight" afterward occurred, one of their number, House, was accidentally killed. The party went on, sending back Lynch for another party, to bring in House's body. Fifty men were accordingly despatched for that purpose. As they were returning with the body, they were attacked by about two hundred and fifty mounted Mexicans. The Texans took post in a gulley, and continued the fight successfully, till they were reinforced from their main camp, when the enemy were driven in, with a loss of some fifteen or twenty killed and wounded. The Texans lost none.*

After the capture of Goliad by Collingsworth, General Austin directed that it should be retained and defended. A detachment from Bay Prairie, and also another from the Nueces, were sent to reinforce the place, making the number of its defenders, under the command of Captain Philip Dimit, upward of eighty effective men. This reinforcement enabled Captain Dimit to despatch thirty-six men, under Captain Westover, to the attack of the Mexican force at Lipantitlan, a small place above San Patricio, on the Nueces. The Mexican force, consisting of twenty-one men, with two pieces of artillery, surrendered without a contest on the 3d of November; and, upon agreement that they would not bear arms against Texas during the war, the prisoners were set at liberty. The Texans remained at Lipantitlan until the next evening, when they set out on their return to Goliad. As they were crossing the Nueces, and when about half of them had passed the river, they were attacked by about seventy of the enemy. After a severe contest of half an hour, in which some twenty of the Mexicans were killed and wounded, they retreated, leaving the Texans masters of the field, the latter having only one man wounded.*

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* Kennedy, vol. ii., p. 133. Report of General Burleson to the Provisional Government, November 27, 1835. The accounts given of the "Grass-Fight," and of the affair of the 8th, are derived from statements of those engaged in them, and are considered reliable.

The news of these successes spread over the country through the agency of the committees of safety, and cheered the Texans in their struggle. The same intelligence, reaching the United States, kindled a flame of sympathy everywhere. At New York, Cincinnati, Louisville, Nashville, Macon, Huntsville, Natchitoches, Mobile, New Orleans, and other places, funds were raised, and *emigrants* fitted out in squads, companies, and battalions. True, there were, in all these places, icy spirits, who had no sympathy, and who condemned Texas for not submitting to Santa Anna. Such men, if they really knew the wrongs inflicted on Texas, and those greater wrongs with which she was threatened—had they lived in the time of the American Revolution, would have opposed it also. It ill became a country like the United States, still red with the blood of her rebellion against George III., to blame Texas for going into the contest with Mexican despotism. The former revolted because of *taxation without representation.* The wrongs of Texas were so much greater, that she did not even complain of the absence of that right! Mexico complained to the United States that the revolted Texans "were daily obtaining from New Orleans assistance of all kinds, in men, munitions, and arms, in silver and soldiers, who publicly enlist in that city, and carry with them arms against a friendly nation."* There was no law in the United States to prevent public meetings, or to prohibit the transmission of funds or arms to other countries; nor was there any law to prevent persons from leaving the United States, provided they did not organize and array their forces within her limits. President Jackson was not the man to shrink from any official duty, however painful; but, as an individual, he could not but feel an interest in a struggle like that in which Texas was engaged: and what he thought, he spoke. It can not be denied that in some instances the law was violated, and that organized bodies of men did leave the United States; but the sympathy for the cause of the Texans was almost universal, and no one made it his business to advise prosecuting officers of these movements. They came—they aided Texas; she gave them a home, and many of them remained within her limits. The Lafayettes, the Pulaskis, and the Kosciuskos of Texas, will be kindly remembered, not only throughout her borders, but wherever liberty has friends.

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* Journal of the Council, pp. 8, 84; Kennedy, vol. ii., p. 132.

After the departure of General Austin, the besieging army before San Antonio came very near being broken up. This threatened dissolution originated from a projected enterprise against Matamoras, with the hope of obtaining the co-operation of a large force of Mexican liberals. Dr. James Grant, an Englishman, some time before domiciliated about Monclova, and one of the legislators dispersed by General Cos, was the cause of this movement. He published an account of the supposed condition of the interior of Mexico—representing that Alvarez was active in the south, and had taken Acapulco; that Guzman and Montenegro had an army of twenty-one hundred liberals in the state of Guadalaxara; that Puebla, with the governor at its head, had refused to publish the centralizing decree of the 3d of October, and the people were rising *en masse* to defend their liberties; that Valladolid had protested in the strongest terms, and was raising her civic militia; that Ojaca had made a like protest, and was also preparing for defence; that Zacatecas was ready to take the first opportunity to avenge her wrongs; so also was Durango; and that Tamaulipas and New Leon would rise the moment *an attack was made on Matamoras*, and San Luis Potosi would instantly follow. These, with the further representations—made, no doubt, honestly by Grant—that Santa Anna was sadly distressed for want of funds to carry on his despotic plans, and that his army was scattered and could not be safely united,* served to turn the heads of many of the leading men of Texas. It was supposed that they had only to show themselves on the right bank of the Rio Grande, when the whole of Mexico would rally around them! They never reflected that, since 1832, the Texans had become a by-word of reproach in Mexico, and that all parties there denounced them as "perfidious, ungrateful disturbers." As this first thought of a campaign against Matamoras was the cause of great confusion, and some bloody tragedies, its progress, maturity, and final catastrophe, will deserve a more especial notice; but such notice will appear more properly in a subsequent page.

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* Monasterio, Mexican Minister of Foreign Relations, to the Secretary of State of the United States, November 19, 1835.

Mention has already been made of the New Orleans *Grays*, two notable companies, afterward so distinguished for their valor and sacrifices in the cause of Texas. The first news of the Texan Revolution was received in New Orleans on the 13th of October, 1835. The same evening a meeting was held at Bank's Arcade. William Christy, a noble and valuable friend to Texas, presided. Ample funds were raised. Just as the meeting adjourned, Adolphus Sterne, of Nacogdoches, stepped on the platform, and made known that Texas wanted *men* as well as money; and that, as a Texan agent, he had that day purchased fifty muskets, which would be distributed to those who would go with him to Texas. On the suggestion, names were called for, and two companies immediately raised, the one commanded by Captain Robert C. Morris, and the other by Captain Breese. The Texan committee dressed them in gray uniforms, and they departed for the theatre of war—the first-named by way of the gulf, the other by way of Natchitoches. The appearance of Breese's company at Nacogdoches had a fine effect on the Cherokee Indians, a large number of whom were then in town. Their fine uniform caps and coats attracted the notice of the chief Bolles. He inquired if they were *Jackson's* men. "Certainly they are," said Sterne. "Are there more coming?"—"Yes," was the reply. "How many more?" asked Bolles. Sterne told him to count the hairs on his head, and he would know. In twenty minutes the Indians had all left the town![*] The "Grays" reached San Antonio in time to participate in its capture. Morris, of the first Grays, was promoted to the rank of major, and William G. Cooke appointed to his place as captain.

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* Letter of James Grant, November 18, 1835.

On the 29th of November, Major Morris informed General Houston that two hundred and twenty-five men, nearly all from the United States, had determined to set out the next morning from Bexar, for Matamoras, and thence into the interior; that their accounts from Mexico were of the most encouraging character; that they expected to be joined by a hundred or a hundred and fifty more, then on their way from the United States; and that they expected in the end to be joined by from five to eight thousand men, who were awaiting them. He further stated that those who would leave Bexar with him, if disappointed in marching on Matamoras, would immediately return to the United States. Such was the hopeless state of things, on the last days of November, before Bexar. But, about that time, the idea of storming the place had got a hold in camp. The Texan force was then not more than eight hundred, including the Grays, Captain Peacock's company from Mississippi, and Captain English's company from eastern Texas—so much had the forces of the besiegers diminished by the impatience of the volunteers. The hope of active operations, however, detained the troops for some days.

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[*] Statement of the late Adolphus Sterne.

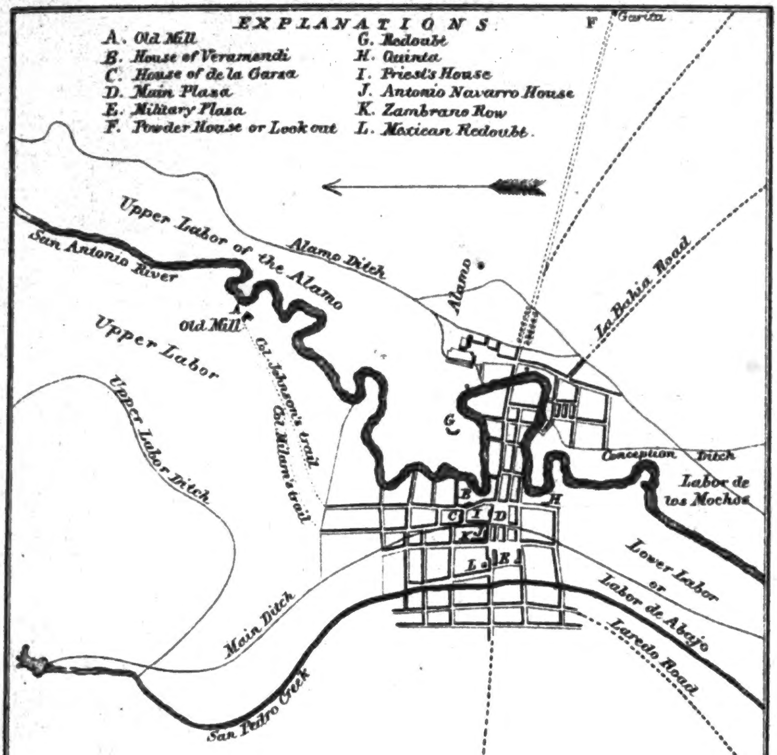
On the morning of the 3d of December, 1835, Messrs. Smith, Holmes, and Maverick, who had been detained under surveillance in Bexar since the affair at Gonzales, made their escape, and reached the Texan camp. From information given by them as to the strength of the place, a call was made for volunteers to attack it at four o'clock the next morning. The plan of assault proposed that three hundred volunteers should be led into the town in three divisions: the first, under Colonel Jack, to take and occupy the house of José Angel Navarro; the second, under Lieutenant Sommervell, to take and occupy the house of Antonio de la Garza; and the third, under Major Morris, to take and occupy the house of Veramendi. Deaf Smith, John W. Smith, and Hendrick Arnold, were to act as guides to the respective divisions.

During that day and night, all was preparation and impatience for the hour to march. A serious conference was in session in General Burleson's quarters, which closed by a proclamation that the descent on the town was postponed! The burst of disappointment and indignation which followed this announcement can be better imagined than described. A general parade was ordered for ten o'clock on the morning of the

4th. Many of the companies refused to turn out. The causes assigned for postponing the attack were, the absence of Arnold, one of the guides, together with an opinion that the besieged had received notice of the intended assault.

About two o'clock in the afternoon of the 4th of December, an order was issued to raise the siege, and to set out for La Bahia at seven o'clock that evening. "It was then," says an eye-witness, "that the scene was wholly indescribable, and serious apprehensions were entertained that our camp would become the theatre of blood." But, in the meantime, Arnold, the absent guide, had returned; and Lieutenant Vuavis, of the Mexican army, who had deserted the night before, came up. The latter was conducted forthwith to headquarters, and underwent a strict examination. He stated that the garrison was in a tumult, and much dissatisfied; and, further, that the enemy had no suspicion of the intended descent that morning. He also stated that the strength of the place had been exaggerated. On receipt of this information late in the evening of the 4th, Colonel Benjamin R. Milam, at the suggestion of some persons, cried aloud, "*Who will go with old Ben Milam into San Antonio?*" The reply was a shout from the officers and men then assembled around the quarters of General Burleson. They were ordered to fall into line, and, after a partial organization, Milam was promptly elected to the command, and notified the men to meet him, early after dark, at the old mill—there to complete their arrangements. All this transpired in the presence of General Burleson, and with his approbation. They met at the old mill, and formed the attacking party in two divisions: the first under the immediate command of Colonel Milam, assisted by Colonel Nidland Franks of the artillery and Major R. C. Morris of the Grays, with Messrs. Maverick, Cooke, and Arnold, as guides; the second under the command of Colonel Frank W. Johnson, assisted by Colonels James Grant and William T. Austin, with Deaf Smith and John W. Smith as guides. General Burleson was waited on, and requested to hold his position till the result of the attack on the town was known, which he cheerfully agreed to do. Colonel J. C. Neill was directed to make a feint on the Alamo, to divert the enemy's attention while Milam was marching into the place. There were three hundred and one men that made the descent, composed mostly of parts of the companies of Captains York, Patton, Dickinson, English, and Ward, in the first division, under Milam, and of the companies of Cook, Breese, Peacock, Swisher, and Edwards, in the second division, under Johnson.

On the morning of the 5th of December, about twenty minutes before daylight, the assault was made on the town. Colonel Neill, making an earlier start, had crossed the river, descended toward the Alamo, and opened a fire upon it, completely diverting the enemy's attention. This he continued till he heard the report of the guns in the town, when he withdrew to the camp. The division of Milam marched in a direction a little south of west to the entrance of *Acequia* street (so named from the ditch running on its west side); while, at the same time, that of Johnson advanced to the entrance of *Soledad* street. These two streets from their entrance run south for a thousand *varas* to the main *plaza*—the first entering the square on the northwest and the other on the northeast corner. At these points of entrance into the square the enemy had erected breastworks and batteries, so as to command them. Milam's division took possession of the house of De la Garza, and Johnson that of Veramendi. These houses were nearly opposite, on the east side of each of the two streets, and about a hundred yards from the main square. In approaching the Veramendi



SAN ANTONIO & ITS ENVIRONS

Taken from actual Survey. Illustrating the storming of the Town by the Texans under Col. Milam.

house, a sentinel fired upon the column, which was returned with effect by Deaf Smith. This aroused the Mexicans in the town. The fire from the town and the Alamo soon became tremendous. The Texans had taken with them two pieces of artillery, a twelve and a six pounder. The former was dismounted, and, for want of a cover for the other piece, it was but little used. So well directed was the enemy's fire, that, for a time, the Texans could not cover their lines, or keep up a safe communication between the two divisions. They relied, however, upon their rifles, with which they slackened the enemy's fire, and silenced the artillery within range of their pieces. During the 5th, the Texans had one killed, and two colonels, one lieutenant-colonel, and twelve privates, wounded.* These were sent back to the camp.

The night of the 5th was occupied by the Texans in strengthening their works, and opening a communication between the two divisions. The enemy kept up a constant fire during the night, which slackened somewhat toward daylight. They were also engaged in placing armed men on the tops of the surrounding houses, and in strengthening their defences. The Texans at length succeeded in opening a safe communication between their two divisions. This they did under a raking fire from the enemy's battery at the entrance of Soledad street.

At daylight, on the morning of the 6th of December, the enemy were discovered to have occupied the tops of the houses between the Texans and the *plaza*, and to have cut loopholes in the parapet-walls crowning the buildings. From these points they opened and kept up during the day a brisk fire of small arms; at the same time a steady fire of artillery was maintained from the town and the Alamo. The greatest danger to the Texans was in passing from one building to another. A detachment of Captain Crane's company, under Lieutenant William M'Donald, with others, advanced under a severe fire and took possession of the house to the right and somewhat in advance of the Garza house. This extended the Texan line westward, and toward the military plaza. At the same time, the assailants were strengthening their works, and returning the fire of the enemy. They also succeeded in mounting their cannon, with which they did some execution. The communication between the two divisions of the assailants was strengthened. During this, the second day of the attack, the Texans had five wounded. The night of the 6th was occupied by the enemy in keeping up a languishing fire, in opening a trench on the Alamo side of the river, and in strengthening their batteries on Main street, leading from the plaza to the Alamo. The Texans were engaged in strengthening their lines.

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* Among the wounded were Lieutenant John L. Hall, of the first Grays, and Deaf Smith. These wounds were received on top of the Veramendi house, whither some ten or fifteen had ascended to get a view of the enemy. Finding their position untenable, they descended through the roof. A writer in the 'Texas Gazette' of September 8, 1849, says Lieutenant Hall was not of the party. That officer himself states that he was.

On the morning of the 7th, the enemy opened a brisk fire from the trench constructed the night before; also of artillery and small-arms from other positions. By eleven o'clock that day, the deadly fire of the Texan rifles had silenced that from the trench, and also from some of the Mexican artillery. The only house between the Garza house and the buildings on the plaza was about midway, but back from the street. About noon, the gallant Karnes advanced with a crowbar, under a heavy fire from the enemy, and forced an entrance. Captain York's company followed, and held the position. In the evening the fire of the Mexicans became active from all their works. Colonel Milam, in passing from his position to that of Johnson at the Veramendi house, was instantly killed by a rifle-shot in the head. He fell just as he entered the yard. In his death, Texas lost a commander and a soldier whose place could not be easily supplied.* The Texans, however, felt a new incentive to avenge his death. They immediately set on foot a party to take possession of the house of Antonio Navarro, situated on the north side of Main street, one block west of the main plaza, but commanding a portion of the military plaza, and the Mexican redoubt on the second block west of the main square. The party consisted of portions of the companies of Captains Llewyllen, English, Crane, and York. They advanced from the house taken by Karnes, and forced an entrance. The enemy endeavored to retake it by firing through loopholes made in the roof; but the Texans returned the fire through the same loopholes, and drove them off.

Immediately north of and adjoining the Navarro house, fronting on Flores street, stood a row of buildings known as the "Zambrano Row." The taking of these buildings was part of the work of the 8th of December. The morning was cold and wet, and but little was done. About nine o'clock, however, the same party who had taken the Navarro house, being reinforced by the Grays, commenced the attack. The row consisted of a series of rooms, separated by thick partition-walls. These walls were pierced, and thus the Texans advanced from room to room. The enemy disputed every inch of the ground, and kept up a tremendous fire of artillery during the day. At last, however, they were forced to abandon the row. During this time, a small reinforcement, under Lieutenant Gill, came in from the camp of General Burleson. The Mexicans, in order to produce a diversion, sent out a party of about fifty men from the Alamo toward the Texan camp, but they were quickly driven back by the fire of a six-pounder. After dark, on the

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* Milam was buried where he fell.

8th, the occupants of the Zambrano row were reinforced by the companies of Captains Swisher, Alley, Edwards, and Duncan. Thus the Texans had, in fact, the command of the northwest portion of the enemy's main defences.

On the night of the 8th, a further advance was made. On the north side, and opposite the centre of the main plaza, stood a strong building known as the "Priest's House." It commanded the plaza, and its capture was considered the crowning work of the assault. Just before midnight, a party of about a hundred men, destined to attack this place, set out from the Garza house. In passing an out-building connected with the wall around the yard of the priest's house, they were exposed to a heavy fire from the Mexicans occupying that outbuilding; but by a rapid movement the assailants reached the wall, broke it down, drove the enemy from his position, entered the priest's house, secured and strengthened the doors and windows, and commenced cutting loopholes. The fire of the enemy had by this time become general, and was kept up with artillery and small-arms until nearly daylight. Finding the Texans unpleasantly near them, they did not wait for daybreak to see the effect of their rifles from the loopholes in the priest's house upon the main plaza, but retreated to the Alamo. At half-past six o'clock, on the morning of the 9th, General Cos sent in a flag of truce, expressing a wish to capitulate.

General Burleson, having received notice of the flag, proceeded to the town; and by two o'clock, on the morning of the 10th, the articles of capitulation were concluded. Cos and his officers were permitted to retire with their arms and private property, upon their word of honor that they would not in any way oppose the re-establishment of the constitution of 1824; the Mexican convict-soldiers were to be taken beyond the Rio Grande; all public property belonged to the victors;

such of the troops as wished to remain, or leave the Mexican army, had the liberty of doing so. Commissioners were appointed to carry the articles into effect.

It is proper here to state that during the attack, notwithstanding General Burleson had out a constant patrol, Ugartachea made his way into San Antonio with five hundred convicts, guarded by a hundred regular infantry. This force, added to the eight hundred previously there, made an aggregate of fourteen hundred. The number of the enemy killed has been variously estimated: it probably did not exceed a hundred and fifty. The Texan loss was trifling, though they had several wounded.

Among the occurrences of the assault, it may be stated that on the same evening of the death of Milam, the officers assembled and conferred the command on Colonel Frank W. Johnson, who had the high honor of raising the flag of victory over the walls of Bexar. The reinforcement of convicts brought in by Ugartachea were conducted in chains, and their fetters were only taken off when they were introduced within the lines. Such men added nothing to the Mexican strength, but served only to hasten the consumption of the scanty provisions of the besieged. After the occupation of the priest's house by the Texans, the town was fairly in their possession. They were in a position, as soon as daylight appeared, to clear every battery on the plaza. The terms of the capitulation were, then, humane. It is true the enemy could have held out for some time in the Alamo, but they had no provisions. The Texans agreed to furnish them with a supply at a fair price, and their sick and wounded were permitted to remain behind, and were duly cared for. Thus the humanity following the victory was more glorious than the victory itself, and was a noble lesson of moderation in the hour of triumph, which the enemy failed to learn.* Twenty-one pieces of artillery, five hundred muskets, together with ammunition, clothing, &c., fell into the hands of the victors.

On the 14th, General Cos left the town with eleven hundred and five troops, the remainder having abandoned his flag. He encamped that night at the mission of San José. The next day he set out for the Rio Grande, to report to Santa Anna, his distinguished relative and superior, the rebellious character of the Texans, and their obstinacy in battle. General Burleson, (who, although opposed to the attack, when it was begun did all he could to contribute to its success), on the 15th retired to his home, leaving Colonel Johnson in command at the Alamo, with a sufficient force to maintain it. The remainder of the army dispersed. Thus was Texas again free from the footsteps of the enemy.

We will now return to the stirring events in the civil department of government, following the adjournment of the consultation. Governor Smith, with the council, his advisers, had much to do, and with but slender means. Texas was poor; and the truth of history is only vindicated in saying that, but for the means supplied by the generosity of individuals in the United States, she could hardly have sustained herself against the power of Mexico. True, her own people were heroes, and able and willing to do all that men ever did or could do; yet they must have food and raiment, arms and munitions. The ravages of war had called them from their fields and shops, and they were producing nothing. What her wealthier citizens could give, was given freely. The people of San Augustine and Nacogdoches subscribed several thousand dollars in money, besides provisions, horses, clothing, and whatever else they had. D. H. Vail, treasurer of the people of Natchitoches, sent on in wagons the large subscriptions of that place. Such was the enthusiasm there, that the Mexican consul tore down his sign, placed his foot upon it, and declared for Texas. Mobile sent at one time two thousand dollars. The committee at New Orleans were also sending forward repeated supplies. The receivers of public moneys in Texas promptly delivered over the funds to the provisional government.*

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* The account of the storming of San Antonio is taken from the official reports of General Burleson, of the 14th of December, 1835; of Colonel Francis W. Johnson, of the same date; from the "Emigrant's Guide" of January 16, 1836; the "State Gazette" of September 1, 8, and 15, 1849; and from the statements of several of those engaged in the contest.

On the 15th of November, Governor Smith sent in to the council his message. He talked very plainly to the members of that body. He told them to commence by summoning to their assistance moral courage, and to throw around them the shield of honesty. He advised them to adopt the most prompt and energetic measures in behalf of the army; to furnish the necessary provisions; to provide for fortifying the unprotected seaport and frontier towns, to which end he recommended the formation of a corps of engineers. He also advised the granting of letters of marque and reprisal, to blockade the ports of the enemy: this he believed could be done with foreign capital and enterprise. He recommended the raising of a company of rangers, to overawe the Indians, and prevent them from becoming the allies of the Mexicans; also the protection of the civilized Indians in the "just and equitable title" which they were generally understood to have in their lands; he recommended the appointment of foreign agents, to be clothed with special powers to procure aid for Texas; also the establishment of a tariff, and the appointment of revenue-officers; also the regulation of the postoffice, and approving the appointment of John Rice Jones as postmaster-general, made by the council previous to the meeting of the consultation; also the organization of the militia; the appointment of a treasurer; and, finally, the location of the seat of government.*

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* Journal of the Council, p. 9, *et seq.*

The council proceeded to distribute their labors by the appointment of committees on the army, navy, finances, Indian and state affairs. They appointed Charles B. Stewart secretary to the governor, John W. Moore army-contractor, and Thomas F. M'Kinney special agent to borrow one hundred thousand dollars on account of Texas. In this last act of the council, of the 24th of November, appeared the first germ of discord between Governor Smith and that body. It will be remembered that the consultation, previous to its adjournment, had appointed Messrs. S. F. Austin, W. H. Wharton, and B. T. Archer, agents of Texas to proceed to the United States, and transact such business in her behalf as might be deemed necessary. These agents were shortly to set out on their mission. Governor Smith deemed it improper in the council to anticipate the action of these agents by the appointment of a special agent to do in part what they could better effect. Nevertheless, the council unanimously passed the act over his excellency's veto.†

For the further organization of the government, the council elected two judges for each municipality, and also commissioners to organize the militia.‡ It likewise elected Joshua Fletcher treasurer. On the 26th of November, P. B. Dexter, the secretary of the council, resigned, and that body chose E. M. Pease his successor.‖

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* Journal of the Council, p. 13. † Ib., p. 50. ‡ Ib., p. 57.

‖ Elisha M. Pease, the present worthy governor of Texas, was from Connecticut. He had some time previously settled at Bastrop, and took an active part in the first revolutionary meetings there. He was quite young, but such was his conduct and solid worth, that he soon attracted the attention of the public.

On the 27th of November, the financial committee made an able report, exhibiting the resources of Texas. They saw plainly enough that money, as well as patriotism, was necessary to sustain the war. They estimated the territory of the province at a quarter of a million of square miles, and the population at fifty thousand souls. They stated that only ten millions of acres of this vast domain was appropriated. They recommended a tax on this land; also a tax of one dollar per head on slaves. As a more speedy and available source of revenue, they recommended a duty on foreign tonnage. The export of cotton was estimated at sixty thousand bales: the tonnage, they supposed, would amount to the same. They proposed a duty of two and one eighth dollars per ton; also an export duty on cotton of one quarter of a cent per pound. They also recommended a duty of fifteen to thirty *per centum* on imports. These sources of revenue would, in due time, have answered every legitimate want. But, at that moment, the wants of Texas were pressing, and could not be postponed: hence a loan presented the most obvious, nay, the only plan of relief.*

Stephen F. Austin reached San Felipe on the 29th of November. On the following day he presented his respects to the governor and council, and awaited only his instructions to depart for the United States. The subject of his instructions had some time before been brought to the notice of the council by Governor Smith, but still they were not prepared. On the 4th of December, he again reminded them that everything depended on the despatch of these agents, and urged them to suspend other business till the instructions were made out. At length, on the 6th of December, the council, by an ordinance, authorized the governor to give the necessary instructions. In the meantime, William H. Wharton declined the appointment of commissioner, preferring a position in the army; but his services as an agent were deemed too important, and he was finally induced to go.* The commissioners shortly afterward set out for the United States. Before leaving, however, they made an application to General Houston to appoint two agents to proceed to New Orleans, to procure provisions, ammunition, &c.; they being subject to the direction of the commissioners. They recommended the names of A. Huston and John A. Wharton for this trust. Accordingly, on the 8th of December, General Houston appointed the agents named.†

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* Journal of the Council, p. 63.

About this time the Texans received the news of the unfortunate result of an expedition fitted out at New Orleans against Tampico. It was gotten up under the auspices of General Mexia, one of the republican officers in Mexico, who abandoned Santa Anna when the latter declared for the centralists. Mexia advised the expedition, and declared the capture of Tampico the most fatal blow that could be given to the operations of Santa Anna against Texas. Some liberal contributions had been given to the cause by persons in New Orleans; the schooner "Mary Jane" was chartered, and on the 6th of November, 1835, she sailed for Tampico, having on board some one hundred and thirty men. Two thirds of these were Americans, the others mostly French and Germans. There is little doubt that most of the men were deceived as to their destination, but supposed they were sailing to Texas as *emigrants*. The vessel proceeded on her voyage until the 12th, when it was made known to those not in the secret that there was on board the craft a general with his staff, whose design was to act in concert with the Texans, and he desired them to join him. The land being then in sight, and the vessel standing in, it was announced that they were before Tampico. Through the instrumentality of Captain Hawkins,[*] an aid to Mexia, some were induced to join him. The schooner was taken in tow by a steamboat, but they soon ran aground, when, night coming on, they found the water breaking over the vessel. They succeeded, however, in getting to the shore, on which they all safely landed that night and the following morning. The fort at the bar, after a slight conflict, surrendered to Mexia, and his command were then occupied in drying their clothing. On Sunday evening, the 15th, arms were placed in the hands of the passengers. It was expected that the Mexicans would rally in large numbers around the standard of Mexia, but in this they were greatly deceived. The cry of "*Viva Santa Anna, y mueron los estrangeros!*" was alone heard in the streets. Their main dependence was upon this expected native force; but only fifty Mexicans joined them. So, being thus disappointed, they failed in their enterprise. General Mexia and a portion of his small force escaped in a vessel to the Brasos. Thirty-one were captured, of whom three died in the hospital; the remaining twenty-eight were condemned by a court-martial, and shot at Tampico, on the 14th of December following.[†]

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* Journal of the Council, p. 108.

† Austin and Archer to Houston, December 7, 1835. Orders to A. Huston and John A. Wharton, December 8, 1835: MSS.

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[*] Charles Hawkins, at an early age, went into the United States navy, where he was appointed midshipman, and then lieutenant. Resigning his commission during the Mexican Revolution, he entered the naval service of that country, and became a terror to the Spanish shipping in the West Indies. After the treaty of Cordova, in 1821, he resigned his commission in the Mexican service, and became captain of a steamboat on the Chattahoochie river. When the Texan war broke out, he came to New Orleans and joined General Mexia. After the disastrous Tampico expedition, he came with Mexia to Texas, bringing the torn Tampico flag, and joined the army before San Antonio just after the surrender of Cos. This same torn flag was afterward displayed while the Texan army was at Groce's, but was soon removed, as *ominous.* — *Telegraph, September* 6, 1838.

[†] Edward, p. 262, *et seq.;* Kennedy, vol. ii., p. 154.

Among the Mexican population of Texas there was a want of union. The most of them were in favor of the constitution of 1824, but a difference of race and treatment induced many of them to side with the enemy. John N. Seguin, of an ancient Mexican family residing on the river, a few miles below San Antonio, at the head of a company of *rancheros*, joined the Texan standard in October, 1835; and was of much service, especially in giving notice of the designs of the enemy. Colonel José Maria Gonzales, a Mexican of distinction and influence, and formerly of the army of Mexico, applied for leave to enter the Texan service, with a number of his countrymen. The permission was granted, and an outfit of five hundred dollars was voted him from the humble treasury of the republic. He issued a stirring address to his people, which had the good effect of drawing out some, and neutralizing others.* Colonel Sandoval, who had been so handsomely captured at Goliad by Collingsworth, also applied for permission to join the Texan army; but the council, deeming him too recent a convert to be intrusted with arms in their ranks, ordered that he and those captured with him should be sent to San Augustine for safe keeping: for want of means, however, they were not sent.

As early as the month of November, the enemy had upon the Texan coast the "Bravo" and "Montezuma," two small vessels-of-war, charged with the importation of recruits and stores for Texas. These vessels were quite annoying to the revolutionists, and efforts were made to fit out like armed vessels to repel them. On one occasion, the schooner "Hannah Elizabeth," freighted with cannon, arms, and ammunition, intended for the Texan service, and an adventure of goods and provisions belonging in part to Peter Kerr, sailed from New Orleans for Matagorda. Kerr was himself on board, as were likewise José M. J. Carbajal and Fernando de Leon, the latter two having charge of the other freight. She was discovered, pursued, and run aground, at Pass Cavallo, by the Bravo. In the chase she had thrown overboard her cannon and ammunition. She was boarded by a prize-crew, consisting of Lieutenant Mateo and eleven men, from the Bravo; and Carbajal, De Leon, and some others, were transferred as prisoners to that vessel. Shortly after, the Bravo was driven off by a *norther*. In a day or two afterward, the citizens of Matagorda, having received notice of the wreck, purchased and armed the schooner "William Robbins," placed her under the command of Captain Hurd, and, with a small force on board, commanded by Captain S. Rhoads Fisher, retook the stranded vessel, and made the prize-crew prisoners. This was all very well; but they went further, and appropriated to themselves the goods and provisions, allowing Kerr to retain his part on payment of half their value! But Kerr, being unable to do this, got none.* Governor Smith, being duly advised of these proceedings, took occasion, in a special message, to reprehend them severely.

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* Address of Gonzales, December 10, 1835: "*Mejicanos*," says he, "*la voz de Libertad salió de entre las ruinas en que la perfidia mas maudita sepultara la constitucion de nuestra patria. En Tejas se ha tremolado el estandarte de la federacion, y los hijos de Mejico no pueden ser indeferentes á tan augusto reclamo.*" It would have been well had Gonzales sustained this sentiment. We shall hear of him again in the *federal* campaign of 1839.

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* Fisher's statement, December 17, 1835. Poor Kerr! this was but the beginning of his troubles. He was shortly afterward, greatly against his will, made to play a conspicuous part in the Texan Revolution, as we shall see. It is only a short time since he received from the United States treasury, under the award of the "mixed commission," some remuneration for his adventure on the "Hannah Elizabeth."

CHAPTER II.

At the beginning of the Texan Revolution, the country was unusually well represented by men of talents. In proportion to the population, few countries ever equalled it. The stirring events in prospect, offering a fine field for ambition and adventure, had drawn many hither. Soon after the organization of the provisional government, and even during the sitting of the consultation at San Felipe, some discontent was manifested by those who did not obtain what they claimed as their share in the distribution of offices. To such a height did this feeling rise, that an open rupture was threatened. On one occasion, a desperado entered the council-hall, while the council was in session, and ordered the members to dissolve and go home. But, on the 19th of December, a more serious movement was made. A meeting was called at San Felipe, at which Wylie Martin presided. Mosely Baker introduced a series of resolutions, declaring the existing authorities not equal to the crisis; that the officers and the members of the council were worthless and imbecile; and that it was necessary forthwith to reorganize the government and give it a more energetic administration, in order to save the country from ruin. This was the substance of the resolutions, which were supported by the mover in an eloquent speech of an hour—for he was one of the most able as well as restless and ambitious men in Texas. The effect of the speech was manifest: the concourse wavered, and the continuance of the government seemed doubtful.

Sam Houston replied to Baker, and answered his objections to the existing government. He said he was astonished to hear such a manifestation of discontent at a time when the least division in their ranks would be fatal to their cause and the cause of liberty; that it was true their temporary system of government was not perfect in all its parts, yet it would answer the present emergency; and he could not but denounce as a fratricide and miscreant any one who, at a period so critical, would interpose an obstacle to the authorities then in power. This was followed by strong personal allusions. At the close of the discussion, the mover of the resolutions tore them up, declaring that he washed his hands of the whole matter.*

General Houston had remained at San Felipe, to give aid and advice in organizing the army, and in framing such measures as were intimately connected therewith. Among these were—an ordinance to establish a corps of rangers; an ordinance to raise a regular army;† an ordinance to regulate the militia; an ordinance appointing a commissary;‡ and ordinances to purchase munitions, provisions, clothing, &c., for the army and the defence of the coast.‖ The regular army was to consist of eleven hundred and twenty men, to be enlisted for two years, or during the war. After the passage of this law, and the appointment of the necessary officers, the commander-in-chief despatched the latter on recruiting-service to the different points; notifying them that each enlisted soldier should be entitled, in addition to the pay and rations allowed by the United States, to a bounty of six hundred and forty acres of land.

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* Statement of Dr. B. B. Goodrich: MS. "Emigrant's Guide," Jan. 2, 1836.

† Order and Decree, p. 20, *et seq.* ‡ Ib., p. 32. ‖ Ib., p. 34, *et seq.*

The recruiting-officers were to report at headquarters by the 25th of February following.* General Houston then issued a proclamation, calling for aid, and reciting the past events and the then present condition of Texas and her wants.† Governor Smith, on the 16th of December, ordered him, as soon as circumstances would permit, to establish his headquarters at Washington, on the Brasos, until further orders, and to exert his efforts to organize the army; but circumstances prevented his departure until the 25th of December.

The news of the first successes at San Antonio, and a call for immediate supplies of men and munitions, was met by the governor and council with a corresponding spirit. Thomas J. Rusk and J. W. Fannin were appointed—the first to proceed east, the other west of the Trinity—to collect reinforcements, to purchase and procure ammunition, provisions, and other necessaries, with power to press such articles as were needed by the besiegers.‡ These agents immediately set out in the discharge of their duties, but victory anticipated them; though the fruit of their labors was still necessary for the army.

On the return of General Mexia from his unfortunate expedition to Tampico, he applied to the provisional government to assist him in an expedition to the interior of Mexico, with the view of carrying the war into the enemy's country. The council passed an ordinance, directing William Pettus, contractor for the volunteer army, with the advice of Thomas F. M'Kinney, to make the necessary provisions for General Mexia, and that the latter report his plan to the provisional government.‖ The governor vetoed the resolution, informing the council that he had no confidence whatever in the co-operation of General

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* S. Houston to Captain A. Turner, December 5, 1835: MS.

† Appendix No. I.—Document 5.

‡ Resolution of December 10, 1835.

‖ Ordinances of Council, December 6, 1835, p. 57.

Mexia; that he had no doubt of his intention to make a descent on the seaports west of Texas, for the purpose of robbing, in order to recruit his own desperate fortunes, but he could see no possible good that would result therefrom to Texas; that it would be unwise to incur the expense of fitting him out, without any guaranty, or control over his conduct, or even knowing his plans: in short, the governor thought it bad policy to fit out or trust Mexicans in any matter connected with the interests of Texas; for, in the end, he was satisfied they would prove inimical and treacherous.* The council, however, passed the ordinance, notwithstanding the veto, and a copy was despatched to General Mexia. But in a short time afterward they passed a resolution requesting his co-operation with the army before Bexar, and sent him notice thereof. He was then at Columbia, and declined joining the Texans before Bexar—stating that he could not risk his military character by taking a command under the provisional government of Texas, as Viesca was not governor. He stated that his plan was to go to Copano, and join to his force two hundred Mexicans then at Palo Blanco; and thence take Matamoras, if possible. This response served much to moderate the ardor of the council, and they gently withdrew their aid from General Mexia.† Thus Texas was finally rid of a man of more pretension than worth, and whose indecision might have endangered her high purposes.

A difference between the governor and council has already been intimated. The origin and progress of this difference, so painful and destructive in its consequences, require a special notice. Dr. James Grant, it will be remembered, originated the project of an expedition to Matamoras. His domicil was in Coahuila, where he had a splendid estate. He had never resided in Texas; it was not his home. His feelings, his interests, and his efforts, were all in favor of the old union of Coahuila and Texas. True, he was at the siege of San Antonio, and fought gallantly there, and was severely wounded on the first day; but he fought against Cos, who had driven him from the legislative hall of Monclova, and not for the cause and right of Texas. He therefore had a motive in carrying the war to Matamoras, and thence into the interior of Mexico, that he might return to his princely domains at Parras. Among the volunteers and adventurers at San Antonio he was incessantly painting in lively colors the rich spoils of Tamaulipas, New Leon, Coahuila, and San Luis Potosi, the facility of the descent, the cowardly nature of the inhabitants, and the charming beauties of the valleys of the San Juan, the Sabinas, and the Santander.

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* Journal of the Council, p. 132.

† Ib., pp. 174, 195.

This was enough: the bold and fiery spirits who had just driven twice their number from the strong walls of Bexar and the Alamo, were ready to go. They wanted but a leader and a cause. The authority of Texas was invoked.* The governor was prudent, and preferred to follow the landmarks laid down by the consultation. The council was otherwise. This body, changing almost daily, contained but few of the original members, and the change had not been for the better, in either wisdom or integrity. They had ceased to feel any responsibility for their official conduct.

The council had created the office of judge-advocate-general, and had elected D. C. Barrett, one of their own body, to fill it. They had also chosen Edward Gritton to the office of collector of revenue for the important port of Copano. Governor Smith refused to ratify these appointments, and, in his message of the 17th of December, gave his reasons. In regard to Gritton,

* Appendix No. I.—Document No. 16.

he said it was well known that he first made his appearance in Texas as the secretary and travelling-companion of Colonel Almonté, who was an avowed spy, sent to Texas by Santa Anna; that Gritton was an Englishman, and by adoption and long residence a Mexican, allied to the enemy by affinity and commerce; that he had never joined the Texan army, and the governor had ever considered him a spy, and hoped the council would make a better selection. As to D. C. Barrett, he was infinitely more severe. He alleged that he had forged an attorney's license, in North Carolina; that he had taken fees on both sides of a cause as an attorney; that he had passed counterfeit money knowingly; that he had embezzled the funds furnished himself and Gritton as an outfit, when sent on an embassy to Cos, the previous summer, without going to their intended destination, or reporting their proceedings. These were some of the caustic charges preferred by his excellency against one of the leading members of the council. They were scandalous if true, and more so if false. He not only gave them as reasons for refusing to commission the nominee, but asked the council to fix a day for the proof of the charges, and it should be made, in order to expel the obnoxious member.* The council sustained their member: they declared that the governor had no right to object to their appointments; that the charges against Barrett were partly beyond their jurisdiction—the others they denounced as untrue; and required the governor forthwith to issue commissions to the two nominees.

Thus the contest became personal; and the council, already enthusiastic on the subject of the Matamoras expedition, began to devise ways and means to carry it on without the concurrence or aid of the governor. Two members of the military committee engaged in a correspondence with the most adventurous spirits at Bexar, to start the enterprise there.* This, added to the influence and eloquence of Dr. Grant, soon resulted in an organized plan.

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* I have before me the original message, endorsed by the secretary, "read in secret session, December 20, 1835, and ordered to be placed on file, and not entered on the journals of the house. December 25, 1835." See Journal of the Council, pp. 205, 206.

After the capture of Bexar, the troops, having nothing to do, became restless; and it was deemed necessary, in order to retain the volunteers, that they should be engaged in some enterprise. On the 20th of December, there were about four hundred men at Bexar, seventy at Washington, eighty at Goliad, and two hundred at Velasco, making a total of seven hundred and fifty men—besides several companies who were on their march to the different places of rendezvous.†

Before detailing further the movements in Texas, we will refer to those of the enemy. General Cos retreated to Laredo, where he was shortly afterward joined by General Sesma with a thousand infantry and five hundred cavalry. Another army was concentrating at San Luis Potosi, to be commanded by Santa Anna in person. The news of the fall of Bexar had astonished and united Mexico. All parties became eager to wipe from the Mexican eagle the stain inflicted by the surrender of Cos. The letter of Grant, of the 13th of November, had already reached the country of the enemy, and preparations were making at Matamoras, under the command of General Urrea, not only to defend that place, but to advance upon Goliad. The Texans were, however, unadvised of these preparations.

On the 17th of December, Governor Smith directed the commander-in-chief to make a demonstration upon Matamoras; or at least to secure Copano, and harass the enemy in that direction. Houston, on the same day, issued an order to Colonel James Bowie, then at Goliad, to proceed to raise, if possible, a sufficient force, and march upon Matamoras; but, if he could not succeed in that enterprise, at least to secure and hold the most eligible point on the frontier, and use all the means in his power to annoy the enemy. Bowie was selected for this expedition because of his distinguished valor and prudence, his accurate knowledge of the country, and also of the people among whom he was to march; but, as it happened, the order did not reach Colonel Bowie, as he left Goliad for Bexar a short time before it arrived at the former place.*

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* Appendix No. I.—Document No. 16. † Journal of the Council, p. 203.

The intended expedition against Matamoras was based entirely upon the expected co-operation of the Mexicans; and their support at least depended upon Texas remaining true to the constitution of 1824. This was impossible: the scenes of Concepcion and San Antonio had entirely destroyed the last feeling of regard for that celebrated document. The cry of "Independence!" had already made itself heard in the settlements, and every day its voice grew stronger. It was idle to suppose for a moment that the Mexicans in the interior of the confederacy would assist Texas in breaking the shackles that bound her to them.

Captain Philip Dimit, in command at Goliad, on the 2d of December wrote a strong letter in favor of the expedition to Matamoras, promising the co-operation of the republicans of Tamaulipas: yet, so sudden was the change of feeling, that on the 20th of that month the troops and people of Goliad, with Captain Dimit at their head, affirmed their independence, and published a solemn declaration to that effect! In that racy and spirited document they disclaim all hope of co-operation from any portion of the Mexicans, and fully exhibit the tone of the Texans at that time. "We have indulged sympathy," say they, "for the condition of many whom we vainly flattered ourselves were opposed, in common with their adopted brethren, to the extension of military domination to the domain of Texas. But the siege of Bexar has dissolved the illusion. Nearly all their physical force was in the line of the enemy, and armed with rifles. Seventy days' occupation of Goliad has also abundantly demonstrated the general diffusion among the creole population of a like attachment to the institutions of their ancient tyrants. Intellectually enthralled, and strangers to the blessings of regulated liberty, the only philanthropic service which we can ever force on their acceptance is that of example. In doing this, *we need not expect or even hope for their co-operation.*"

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* Appendix No. I.—Documents Nos. 8 and 16. See also Appendix No. II.

They despatched their declaration to every municipality in Texas, and also to the council at San Felipe. In the latter body it was referred to the committee on the judiciary and affairs of state, who reported (and the report was adopted by the council) that the declaration was premature; that it jeoparded the community, and tended to destroy the government.* The council succeeded in having its further circulation suppressed. Thus they endeavored to restrain the feeling of independence that had already occupied the public mind.

During the stay of the commander-in-chief at San Felipe, and while waiting for certain documents relative to the organization of the army, he was engaged in placing troops and provisions at proper points. Colonel A. Huston, the quartermaster-general, having been despatched to New Orleans, he appointed Lieutenant William Eaton assistant quartermaster-general, and directed him to take post at Velasco, and notify all troops arriving at the mouth of the Brasos, if they came in armed vessels, to proceed to Copano, and take position at Refugio; if the vessels should not be armed, then to land at Matagorda, and proceed by land to Goliad.* He addressed like instructions to the Texan military agents at New Orleans in regard to the shipment of provisions.† Thus he was concentrating his forces on the frontier at Refugio and Goliad, and storing provisions and munitions at Copano and Matagorda. At the same time, A. G. Kellogg, assistant quartermaster-general, was stationed at Gaines's ferry, on the Sabine, with directions to furnish supplies to volunteers coming by land.‡ Lieutenant-Colonel James C. Neill was ordered to take command of the town and district of Bexar, and to superintend the recruiting-service at that station.‖ Colonel William B. Travis, of the first regiment of infantry, was ordered to San Felipe, to recruit; and Colonel J. W. Fannin was ordered to Velasco for a like purpose, and also to take the command there.

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* Journal of the Council, p. 259.

On the 25th of December, the commander-in-chief removed his headquarters to Washington. Here he met Colonel Wyatt with two companies of volunteers, numbering eighty men, from the state of Alabama. About the same time arrived at San Felipe Major William Ward, of the state of Georgia, with three companies, comprising a hundred and twelve men. They were ordered to the west.§ Captain Ira Westover was ordered to Goliad, to relieve Captain Dimit.

On the 30th of December, General Houston wrote to Colonel Fannin, imforming him that all volunteers were ordered to Copano, there to remain until they had orders to advance; and directing that no campaign be undertaken without orders; that he would be there by the earliest moment at which the campaign should open; and at the same time he requested Colonel Fannin, if possible, to report in person at headquarters as soon as practicable. These despatches were sent by Captain G. W. Poe, of the general's staff, who was directed, while at Velasco, to ascertain the exact number and description of the forces and of the munitions and provisions there, and report the same to headquarters.*

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* Houston to Eaton, December 21, 1835: MS.

† Same to D. B. M'Comb, A. Houston, and John A. Wharton, December 18, 1835: MS.

‡ Same to Kellogg, December 21, 1835: MS.

‖ Same to Neill, December 21, 1835: MS.

§ Governor Smith to Houston, December 31, 1835: MS. Captain Irwine to same, December 23, 1835: MS.

These were the dispositions made, with a view to meet the enemy early in the spring. In fact, the news of the contemplated attack upon Matamoras having reached Mexico, that point was already well guarded by the enemy, and reports were constantly received in Texas of their advance east of the Rio Grande.

We will now return to the council. On the 25th of December, Mr. Hanks, from the military committee, made a report, recommending that Colonel Fannin be ordered to proceed forthwith to the west and take command of the regular and auxiliary troops; and that Colonel Travis be ordered to the same destination, with all the troops he could bring into the field;† also that the commander-in-chief be requested to concentrate the forces at Goliad or Copano. This report was laid upon the table. It, however, showed the disposition of the military committee to substitute themselves as commanders-in-chief of the army. On the next day the council appointed Sam Houston, John Forbes, and John Cameron, commissioners to treat with the Cherokee Indians and their associate bands, and authorized the governor to give the commissioners detailed instructions.

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* The writer has before him the original orders to Colonel Fannin. They are each endorsed by some one—"Left in my hands by Fannin." Extract from these orders: "It is ordered that the volunteers remain in possession of the station [Copano] until such time as they will receive orders to advance, which will be at the earliest possible day—at the same time consulting the comfort of the troops, and the successful issue of a campaign. Let no campaign be undertaken without orders."—*Houston to Fannin, December* 30, 1835.

"If possible, I wish you to report in person at headquarters, as soon as practicable after the receipt of this order."—*Same to same, December* 30, 1835.

† Journal of the Council, p. 202.

On the 3d day of January, 1836, the council received and referred a communication from Colonel Francis W. Johnson, for himself and others, for authority to proceed to Matamoras.* This application was based on a movement begun at San Antonio; for, on the evening of the 30th of December, Dr. Grant, with some two hundred volunteers, without any authority or command, after pressing the property of the citizens of Bexar, and helping themselves to such munitions, &c., at that town, as they desired, set out on the march to Matamoras. The committee on military affairs reported in favor of the expedition, and, among other reasons for its adoption, they said the taking of Matamoras would deprive the enemy of the revenue of that place, estimated pretty highly; that it would give employment to the volunteers until a regular army, sufficient for the protection of the country, could be raised and organized; and that it was necessary to sustain the volunteers, who had already set out under Grant, for, if they were defeated, the result might be fatal to Texas.† As these contemplated movements required some supply of provisions, the council appointed commissioners to examine two small schooners, the "William Robbins" and the "Invincible," belonging to Messrs. M'Kinney and Williams, with a view to purchase them, and use them as vessels-of-war, to protect the transfer of provisions by water along the western coast of Texas.

On the 5th of January, a select committee of two—Messrs. Barrett and Clements—were appointed to wait on Colonels Fannin and Johnson with the resolutions respecting the expedition to Matamoras, and learn their views on the subject.

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* Journal of the Council, p. 247.

† Ib., p. 250.

The latter having concurred in the resolutions,[*] they were taken up for consideration; but, for want of a quorum, they were not immediately acted on. In the meantime, Colonel James Bowie exhibited to the council his orders of the 17th of December, 1835, and took leave of them. This body immediately appointed a committee to wait on him, and obtain a copy of his orders, which copy was obtained and filed.[†]

At length, on the 7th of January, 1836, Colonel F. W. Johnson having declined to participate in the Matamoras expedition, the council unanimously adopted resolutions appointing J. W. Fannin *agent* to raise, collect, and concentrate, at or as near the port of Copano as convenience and safety would admit, all volunteer troops willing to enter into an expedition against Matamoras, wherever they might be found, at the mouth of the Brasos, city of Bexar, or elsewhere—whether in Texas, or arriving in Texas; and, when thus collected and concentrated, to *report* either to the commanding general, or to the governor, *or council*, as he might prefer! He was further empowered to call upon any public agent for provisions, stores, &c.; also to borrow not exceeding three thousand dollars, at a rate of interest not above ten per cent.; and also, on the concentration of said forces, to hold an election for a commander and other officers; that, when all this should be done, the said agent, if he deemed it practicable to take said place, should make a descent upon Matamoras or such other place as he might deem proper. To carry these powers into execution, J. W. Fannin was authorized at pleasure to appoint special agents under him, and give them such power as he might think proper, not exceeding his own.[‡]

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[*] Journal of the Council, pp. 262, 263.

[†] Ib., p. 266. Appendix No. I.—Document No. 8.

[‡] Journal of the Council, p. 273.

The second article of the *organic law* of the 13th of November, under the military head, declared that the major-general should be commander-in-chief of all the forces called into public service during the war; he to be subject to the orders of the governor and council. The ordinance thus appointing Colonel Fannin to this agency was therefore a clear violation of the organic law. It excluded the commander-in-chief and also the governor from the command or control of this expedition. Calling him an *agent*, did not alter his functions; and authorizing him to report alone to the council, was a virtual usurpation of the authority given to the governor and the commander-in-chief. And the further authority given to Colonel Fannin, to delegate his powers to other agents, was a consummation of folly. The fruits of such an expedition, raised under such auspices, might be foreseen. The council was aware of the governor's opposition to its views, and endeavored to carry them out without his consent. To obtain the "Invincible," and get his sanction to the ordinance for that purpose, the council represented that the Mexican vessel, the "Montezuma," was in Galveston bay, and required the immediate use of that ship to drive it out or take it.

At length, the governor received a communication from Colonel Neill, commandant at Bexar, informing him of the defenceless and destitute condition of that place, caused by the action of Dr. Grant and his followers before their departure for Matamoras. He despatched a message to the council, on the 9th of January, full of bitterness and reproaches. He charged that body with acting in bad faith, and some of the members with positive corruption and dishonesty. "Look around upon your flock," said his excellency, with more feeling than good taste; "your discernment will easily detect the scoundrels. . . . . . . Let the honest and indignant part of your council drive the wolves out of the fold." With such epithets as these did he regale them, and concluded his message by assuring them that, unless they publicly retracted their error, all intercourse between them would cease at twelve o'clock the next day.*

The governor was very deliberate in sending this message. He notified the council beforehand, and requested that it might be read in secret session. As soon as the message was read, a committee of five was appointed to take that document into consideration; and Lieutenant-Governor Robinson was deputed to confer with the governor, and endeavor to produce a reconciliation. No agreement having taken place, the committee reported strongly on the 11th, and their report and resolutions were unanimously adopted. They resolved that the governor be forthwith ordered to cease the functions of his office, and be held to answer to the general council upon certain charges, a copy of which was to be furnished him in twenty-four hours; that all public functionaries be notified of his deposition; and, in short, that his message be returned to him, with a copy of their proceedings thereon. Thus was brought to a crisis the quarrel between the governor and his council. The council was guilty of usurpation, and the governor of great imprudence. The disagreement was not only ruinous to Texas in her then critical condition, but was well calculated to bring her into public scandal and reproach among civilized nations.

On the 6th of January, Governor Smith ordered the commander-in-chief "to repair to Bexar, or such other point on the frontier as he might deem most eligible, and establish his headquarters; also to establish such subordination, and place the army in such situation, as to commence active operations by the earliest day possible; and, in the meantime, to annoy and injure the enemy as much as circumstances would permit."

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* Journal of the Council, p. 291.

In pursuance of this command, Houston on the same day issued an order, directing all the troops on the frontier to hold themselves in readiness to march against the enemy at the earliest notice; at the same time the requisite supplies were ordered to Copano. After appointing Colonel Travis superintendent of the recruiting-service, and requesting the attendance of Colonels Thomas J. Rusk, J. K. Allen, and A. Horton, at headquarters, the commander-in-chief set out for the west on the 8th of January.

The quarrel between the governor and his council gave rise to two parties, and other questions that came up in the affairs of the country were seized upon and made instrumental to party views. The council had called a meeting of the convention, to assemble at Washington, on the 1st day of March;* and had fixed the 1st of February as the time for the election of delegates thereto. The anticipated action of the convention was a subject of warm discussion between the citizens and the candidates. Those who favored the Matamoras campaign, naturally fell into the opposition to a declaration of independence, as that step would cut off all hope of co-operation on the part of the Mexicans west of the Rio Grande. General Houston, previous to his departure for the western frontier, expressed himself fully on that point. "I now feel confident," says he, "that no further experiment need be made, to convince us that there is but one course left for Texas to pursue, and that is, an unequivocal declaration of independence, and the formation of a constitution, to be submitted to the people for their rejection or ratification."†

It is, however, proper to state that other gentlemen of high respectability and influence in Texas took a different view of the subject. The idea of a great republic, composed of the eastern Mexican provinces, had got a hold on the minds of a large number. This scheme had taken deep root among many at Nacogdoches, and throughout eastern Texas. "When I arrived here," says Colonel Henry Millard, in a letter dated Nacogdoches, January 14, 1836, "they were in a fine state of successful experiment, as they imagined, and, by the arrival of Dr. Cameron and some others from the west, new prospects and new views seemed to be opened to them, or at least were publicly expressed. Some of those persons represented that Colonel F. W. Johnson had marched to Matamoras at the head of three hundred men, who had declared for the constitution of 1824, and were determined not to unite with or be under the command of any officer appointed by the provisional government, unless they chose to do so; and that they had an understanding with officers and influential men in three or four of the adjoining Mexican states, who were to meet them with men and money to prosecute the war: and that those states were to form a single grand state separate from the Mexican government. This plan suited well the great land-speculators."

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* Orders and Decrees, p. 76.

† Sam Houston to John Forbes, January 7, 1836.

These were the sentiments of many leading men in Texas, and thus did they connect their views with the Matamoras expedition. General Houston met on the route a letter from Colonel Bowie, dated the 10th of January, informing him that Dr. Grant had arrived some days before at Goliad, and would leave the next morning (the 11th) for Matamoras. The delay of Dr. Grant appears to have been caused by the absence of Colonel F. W. Johnson, who had come by way of San Felipe, to have the expedition legalized. He declined going in with Fannin, probably because he desired a more independent command. At all events, his forces and those of Grant wanted more privileges than the law allowed them. After some hesitation, the council gave him a sort of *carte blanche*,[*] and he proceeded to join Dr. Grant.

At this time much dissatisfaction existed among the volunteers. Major Wyatt refused to have anything to do with the expedition without orders from headquarters. Captain Dimit, the commandant at Goliad, was on bad terms with the volunteers from Bexar, and for a good reason: Dr. Grant, without law or order, had seized his *caballada* of horses. The volunteers left at Bexar held a mass meeting on the day after Dr. Grant's departure, somewhat denunciatory of his course in jeoparding the safety of the place by taking from it two thirds of its defenders, and also the clothing, ammunition, and provisions, intended for the winter supply of the garrison.[†] Colonel Gonzales, a former Mexican officer, but now fighting under Texan colors, had left Bexar about the 25th of December, with some one hundred men, and had not since been heard from.[‡]

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[*] Journal of the Council, p. 315; also Appendix No. I.—Document No. 16. Extract of a letter from Lieutenant-Governor Robinson, dated January 8, 1836: "This moment a letter has been received from General S. F. Austin, from Velasco, from which point he has at last sailed. This is a long letter. He advises, among other things, that we form a state government upon the basis of the declaration of the 7th November last, as one of the Mexican states; and also that the headquarters of our army ought to be at Goliad; and that we form an auxiliary corps to the Mexican army under General Mexia." General Austin doubtless had not then been informed of the position of Texan affairs and the character of Mexia. On the 17th of January, he wrote to D. C. Barrett: "The last news from Vera Cruz and Tampico is, that 'the federal party have united with Santa Anna against Texas.' This leaves us but one course, which is, an absolute declaration of independence. Such a measure is expected and called for by the people of the United States, from one end of the Union to the other."—*Written from New Orleans.* And, ten days before that, in a postscript to a letter to General Houston, after stating that, from the last accounts from Vera Cruz, he had learned that the federal party had united with Santa Anna to invade Texas, he says, "This, of course, leaves us no remedy but one, which is an *immediate declaration of independence.*"—*Austin to Houston, January* 7, 1836.

[†] Telegraph and Texas Register, January 23, 1836.

[‡] James Bowie to Sam Houston, January 10, 1836: "Some dark scheme has been set on foot to disgrace our noble cause. I shall leave with Captain Blount

In addition to this desertion of Bexar, the sick and wounded there were left naked and hungry.

General Houston, having reached Goliad on the 16th of January, ordered the command of Major R. C. Morris to take up the line of march for the mission of Refugio on the next day at ten o'clock. On the 17th, he despatched Colonel Bowie, with thirty men, to Bexar, with a letter to Colonel Neill, desiring him to demolish the fortifications at that place and bring off the artillery, as it would be impossible to hold the town with the force there.* "In an hour," says Houston, in a letter to Governor Smith of the 17th of January, "I will take up the line of march for Refugio mission, with a force of about two hundred effective men, where I will await orders from your excellency. I do not believe that an army of such small force should advance upon Matamoras, with a hope or belief that the Mexicans will co-operate with us. I have no confidence in them. The disaster of Tampico should teach us a lesson to be noted in our future operations. . . . . . I would myself have marched to Bexar, but the 'Matamoras fever' rages so high, that I must see Colonel Ward's men. You can have no idea of the difficulties I have encountered. Patton has told you of the men that make the trouble. Better materials never were in ranks. The government and all its officers had been misrepresented to the army."

It may be proper to state that the order to Colonel Neill to demolish the Alamo, and retire with the artillery, was induced by the information received from that officer on the 17th, advising of the approach of one thousand of the enemy to reduce the place. The commander-in-chief not only despatched Bowie

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in an hour, and shall reach Goliad by daylight, and put a stop to Grant's movements." So wrote Bowie.

* Order to Bowie, January 17, 1836.

to that point, but relieved Captain Dimit from the command at Goliad, and ordered him to raise a hundred men, if practicable, and repair to San Antonio. Captain Wyatt was left in command at Goliad until he could be relieved by the regulars, when he was ordered to proceed to headquarters with the force under him.

The letter to Colonel Neill was duly received by that officer; and, in reply, he stated that he could not remove the artillery for want of teams, and therefore did not demolish the fortifications of the place. The volunteers at Bexar had been promised their pay monthly, which not receiving, they gradually abandoned the service, until there were but eighty troops left. Governor Smith, on being informed of this fact, removed Colonel Travis from his position as superintendent of the recruiting-service, and despatched him, with a small force, to Bexar. Shortly after his arrival, Colonel Neill retired to his home. Colonel Travis called for five hundred more troops, "mostly regulars."—"Militia and volunteers," said he, "are but ill suited to garrison a town." He also asked for money, provisions, and clothing. "Enthusiasm," he justly remarked, "may keep up an army for a few days, but *money*, and money alone, will support an army for regular warfare."* None of these things had the commander-in-chief to give. The council had authorized Colonel Fannin to borrow money for his expedition: they had not applied the first dollar to the recruiting-service. The letters from the recruiting-officers all complain that they can not succeed without funds. Colonel Travis had been improvidently removed from its superintendence, thus destroying all hope of filling the ranks of the regular army. The council had also, by its conduct, commended Dr. Grant in stripping the sick and wounded at Bexar of the blankets needed to cover them, and, according to the account of Surgeon Pollard, of the medicines requisite for their recovery!

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* Travis to Houston, January 17, 1836: MS.

On the 8th of January—the day on which the commander-in-chief set out for the west—Colonel Fannin issued a proclamation, calling upon the volunteers from "Bexar, Goliad, Velasco, and elsewhere," and ordering them to rendezvous at San Patricio between the 24th and 27th of that month, and report to the officer in command. He himself proposed to sail with the fleet from Velasco on the 18th, and invited all to go on board who desired to keep the war out of Texas. On the 10th, Colonel Johnson issued a like proclamation, calling his the *federal* volunteer army, marching for the country west of the Rio Grande, under the flag of 1824.*

The country between the Texan settlements and the Rio Grande is about one hundred and fifty miles wide, extending in length from the coast to the great mountains in the direction of Santa Fé. It is an undulating prairie, almost entirely destitute of timber. The Nueces and Rio Frio furnish the only permanent supply of water throughout this wide waste. This "*Zahara*" formed a sort of natural barrier between the Texan settlements and those of Mexico on the Rio Grande. The town of Matamoras, situated on the right bank of that river, a few miles above its mouth, was the fruit of a commerce that had sprung up between the United States and the northeastern provinces of Mexico subsequent to the Mexican Revolution. The only Mexican town on the left bank of the river was Laredo, situated about one hundred and twenty miles above Matamoras. It sprang into existence in 1805, as being the crossing and resting place of Governor Herrera, when he brought on his contingent from New Leon to aid in driving General Wilkinson from the left bank of the Sabine.

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* See both proclamations in Foote, vol. ii., p. 185.

The Irish colony at San Patricio had pushed the Texan settlements along the coast to the banks of the Nueces. This was the nearest point to Matamoras. But San Patricio was poor, and unable to furnish anything for the subsistence of an army. To carry on offensive operations against Mexico from Texas, would require a considerable capital invested in provisions, clothing, munitions, and means of transportation. To transport these articles by sea would have been quite uncertain, as the navigation was dangerous, and the intercourse between the two arms of attack would be rare. Looking at all these difficulties—added to the fact, then fully ascertained, that Texas had no friends in Mexico—it was madness to persevere in the expedition.

General Houston, having reached Refugio, ascertained that there were no breadstuffs either there or at Copano, as he had directed in his orders of December 30th and January 6th. He remained at Refugio to await the arrival of Major Ward and Captain Wyatt—the latter being relieved at Goliad by Lieutenant Thornton and twenty-nine regulars. On the evening of the 20th of January, Colonel F. W. Johnson arrived at Refugio. On the 21st, and previous to receiving notice of his arrival, the general-in-chief issued an order to organize the forces as they reached Refugio, agreeably to the "ordinance for raising an auxiliary corps" to the army. Colonel Johnson then called upon him, and made known to him the resolution of the council of the 14th of January. So soon as he was made acquainted with the mission of Colonel Johnson, and also with the powers granted to Colonel Fannin, he could not be mistaken as to the object of the council, which was, to supersede him. He also received an intimation that that body had deposed Governor Smith. Under these circumstances, General Houston had but one course to pursue: the management of the expedition being thus taken out of his hands by the council, he returned to Goliad, and thence to Washington, where he made a full report of what had occurred to Governor Smith.* As the consultation had created an executive and a council, to act until the new convention assembled, he did not see that either had the power to destroy the other. His reports were accordingly made to Governor Smith.

The Texan commissioners to the United States concluded a loan on the 11th day of January, 1836, of two hundred thousand dollars, payable ten per cent. in cash, and the balance in instalments. On the 18th of January, they negotiated another loan of fifty thousand dollars, entirely in cash. For these successes they were indebted to Colonel William Christy, of New Orleans, to whom, above all other men out of Texas, is she indebted for the favorable prosecution of the war of independence. These funds enabled the Texan agents to throw into the country, at a critical moment, such supplies as kept the army together.†

The consultation, on the 13th day of November, 1835, entered into a solemn declaration, to which each member signed his name, setting forth that the Cherokee Indians and their twelve associate bands had derived their just claims from the government of Mexico to the lands lying north of the San Antonio road and the Neches, and west of the Angelina and Sabine rivers; that the governor and council, immediately on its organization, should appoint commissioners to treat with said Indians, and establish the definite boundary of their territory, and secure their confidence and friendship; that they would guaranty to the Indians the peaceable enjoyment of their rights to their lands; that all surveys, grants, and locations, made within those limits after the settlement of the Indians, are and of right ought to be utterly null and void.* These were among the solemn pledges made by the delegates of all Texas to the Indians; and in pursuance of which, as we have seen, the governor and council appointed Messrs. Houston, Forbes, and Cameron, to treat with them. Moreover, this became the more necessary, as the emissaries of Mexico were already among these Indians, striving to obtain their aid in the contest with her revolted province.

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* Appendix No. I.—Document 16. Report of January 30, 1836.

† Copy of contract of loan, Janunary 11, 1836. Letter of Colonel Christy, January 18, 1836.

On the return of Houston from Refugio, he received from the governor a furlough till the 1st of March. In the paper (dated January 28) granting this, the latter says: "Your absence is permitted in part by the illegal acts of the council, in superseding you, by the unauthorized appointment of agents to organize and control the army, contrary to the organic law, and the ordinances of their own body. In the meantime, you will conform to your instructions, and treat with the Indians." In pursuance of the commission and instructions of the governor, Messrs. Houston and Forbes proceeded to Bowles's village, and on the 23d day of February, 1836, entered into a treaty with the Indians, in accordance with the solemn declaration of the consultation of the 13th of November, 1835.†

At the beginning of the year 1836, Mexico contained eight millions of inhabitants. Of these, four millions were Indians; two millions were *mestizos*, or a mixture of Indians and Spaniards; one million two hundred thousand were creoles of pure Spanish blood; six hundred thousand were mulattoes, and a mixture of Indians and negroes; one hundred thousand were negroes; ten thousand were natives of Spain; and the remainder were foreigners of different countries. From this it will be seen that Indians and mestizos form the bulk of the population. The Indians, however, have not increased in number for three centuries. Were it not for her bad government, Mexico would be one of the most productive countries in the world. Sugar, coffee, cotton, wheat, maize, and, in fact, all the productions of the temperate and equatorial zones, would grow there in luxuriance. Horses, cattle, sheep, &c., of excellent quality, can be raised there at a trifling expense. Common laborers could be procured at twenty-five cents per day; mechanics, however, received much higher wages. The pay of the infantry soldier was one dollar and twenty-five cents per day; of the cavalry, two dollars: but out of this they purchased their own food and clothing, the government furnishing only arms and ammunition. As the government sold to them their rations and clothes, the soldiers were generally in debt; and, as their supply of provisions was often deficient, they were as frequently compelled to make it up by robbery. Hence the march of Mexican troops, even in their own country, was anticipated with horror by the people along the route. Such were the people, who, guided and stimulated by Santa Anna, were about to bring forth all their power against the fifty thousand colonists who, since 1821, had been filling the extensive territory of Texas.

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* Journal of Consultation, p. 51.

† See the treaty, and other valuable documents connected therewith, in "Documents on Indian Affairs, submitted to the Texan Congress by the President," November 15, 1838.

General Santa Anna, the Mexican president, having determined to lead the invading army in person, reached Saltillo in January, where for a time he made his headquarters. On the first of February, he set out for the Rio Grande, by way of Monclova, with a force of six thousand men. He reached the river on the 12th, where he halted till the 16th, waiting for the troops to come up, and to make suitable preparations for crossing the uninhabited prairies which lay between him and Bexar. While tarrying at Guerrero, he was engaged in dictating to the central government his views as to the policy to be pursued toward Texas when it should be reduced. His plan was as follows: to drive from the province all who had taken part in the revolution, together with all foreigners who lived near the seacoast or the borders of the United States; to remove far into the interior those who had not taken part in the war; to vacate all sales and grants of land owned by non-residents; to remove from Texas all who had come to the province, and were not entered as colonists under Mexican rules; to divide among the officers and soldiers of the Mexican army the best lands, provided they would occupy them; to permit no Anglo-American to settle in Texas; to sell the remaining vacant lands at one dollar per acre—allowing the French to buy only five millions of acres, the English the same, the Germans somewhat more, and to those speaking the Spanish language without limit; to satisfy the claims of the civilized Indians; to make the Texans pay the expenses of the war; and to liberate and declare free the negroes introduced into the province.*

General José Urrea, late governor of the state of Durango, who had joined Santa Anna at Saltillo, was ordered to advance from that point to Matamoras, where he united his forces with others there awaiting him. He reached the latter place on the 1st of February, and remained there till the 18th. Learning that Grant and Johnson were at San Patricio, with a force of two or three hundred men, Urrea set out with three hundred and twenty infantry, three hundred and thirty cavalry, and one four-pounder, in pursuit of them. After a severe march, during which he lost six of his men, who perished with the cold and rain, he arrived at San Patricio on the 27th of February, at three o'clock in the morning.[*]

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* Santa Anna to Tornel, Minister of War and Marine; headquarters, Guerrero, February 16, 1836.

The army raised by Santa Anna was not brought together without difficulty. The number of mules and horses for purposes of transport, and the great amount of baggage, were extraordinary. In addition to this, a great number of women followed the camp; but for what purpose they were permitted, unless to take care of the plunder, we are not informed. Every means was resorted to in order to supply the army. According to a letter of Major Morris, an inventory of each person's property was taken, upon which *one per cent.* was demanded every twenty days![†]

The next in command to Santa Anna was General Vicente Filisola, by birth an Italian, but for many years a citizen of Mexico; and, in addition, were Generals Sesma, Gaona, Tolsa, Andrade, Woll, and Cos, all of whom were ordered to concentrate with their commands before San Antonio. At noon, on the 23d of February, the invading army reached the height north of the Alazan—the place where, twenty-three years before, the republicans under Gutierres had gained a signal victory over the adherents of Spain.

To return to the Texans, and the steps they were taking to resist this well-appointed army. At the beginning of the war in 1835, they had shown remarkable zeal and activity in providing for their defence; but, having driven the enemy utterly out of Texas, they returned to their homes and private affairs. The news of the fresh invasion had spread over the country; the officers of the army, the governor, and the council, had respectively issued their proclamations, and sent forth their handbills; but a lethargy had come over the people. They seemed to disregard all the warnings and invitations to fly to the field. Among the causes to which their apathy may be attributed, were—an exaggerated report of the number of volunteers that had already come and were on the way from the United States; incredulity as to the fact of the invading army; exhaustion from the toils and privations of the previous year; and, finally, the paralyzing effect of the quarrel between Governor Smith and his council.

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[*] *Diario Militar del General José Urrea, durante la Primera Campana de Tejas.* Durango: 1838.

[†] Kennedy, vol. ii., p. 179.

After the governor's suspension by that refractory body, an effort was made to force from him the executive records; but he stoutly resisted, and retained possession of them. He did what he could in the discharge of his duties; the council did likewise; but there was no official intercourse between them. They proceeded against his secretary for contempt. The latter appeared before them, and alleged in his justification that the office of governor was created by the consultation, as was likewise the council, and that therefore he could not recognise any other government.* The defence, however, was of no avail: they fined him twenty-five hundred dollars! In answer to their mandate for the papers, Governor Smith declared that he would defend them with force; and, in retaliation, sent a writ to the lieutenant-governor, Robinson, for certain papers which he held.†

The two parties almost daily inflicted upon the public some explanation or handbill; but the people, soon apprehending the true state of the case, began to conclude, with Secretary Stewart, that both being creatures of the consultation, neither had the right to dismiss the other. The council, seeing this, began to leave, one by one; and, from the 18th of January, they never had a quorum, until, by the meeting of the convention in March, they were relieved from a natural death.

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* Journal of the Council, p. 338.

† Ib., p. 351.

But the fruit of this quarrel was fast ripening, and gallant men, who had come hundreds of miles to hold up the arms of Texas against a powerful enemy, were compelled first to partake of it. As one among many instances of confusion produced by this discord, John A. Wharton, one of the military agents, despatched to New Orleans for provisions, having arrived at Velasco on the last of January with a supply, was ordered by Colonel Fannin to proceed with them to Copano, while the commander-in-chief had directed them elsewhere! "I shall await with them," writes Wharton, "at Matagorda. I do this because I believe that, to execute your previous orders, and proceed to Copano, would not meet your present wishes. . . . . I enclose an original copy of Colonel Fannin's orders for them. I perceive that there are more commanders-in-chief than one." Thus matters stood, and for which there could be no relief until the meeting of the convention on the first of March.

The consultation had provided that the council should pass no laws, except such, as in their opinion, the emergency of the country required.* Besides the decree to raise a regular army, they passed another to organize a corps of rangers, which was much needed, especially on the northwestern frontier, to protect the country from the Camanche and other Indian tribes; also another, authorizing the commander-in-chief to accept the services of five thousand auxiliary volunteers; and yet another important act, authorizing and commissioning Thomas J. Chambers to raise an army of reserve. This law, accompanied by an advance, on the part of General Chambers, of ten thousand dollars in behalf of Texas, was very essential. Besides these provisions, they made others organizing the courts, the treasury, and the navy; and still others in regard to the municipal affairs of the state—thus laying the foundation upon which subsequent legislative bodies have built up what is called the "Texas System." Taking these measures as a whole, and looking to the circumstances under which they were framed, the rule of civil polity was good. The most important duties of the governor and council were, to provide ways and means for the support of the army. Had they attended more to these, instead of interfering with the command and movement of the troops, of which they were ignorant, the country would perhaps have suffered less, and not been witness to fields of slaughter.

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* Journal of Consultation, p. 43.

CHAPTER III.

We have seen the preparations of the contending forces, and have followed Santa Anna, with a well-appointed army, to the walls of Bexar, and Urrea to San Patricio. We have seen Travis, with some thirty men, sent by Governor Smith to the former place, and Bowie despatched by Houston with a like number from Goliad. One other worthy is yet lacking to take part in the death-struggle at the Alamo. David Crockett was a Tennesseean. His education, which consisted mostly in the fearless use of the rifle, he had himself acquired in the then unsettled forests of West Tennessee. Having strong natural powers of mind, he was elected to the state legislature, and subsequently as representative to Congress. But he did not comprehend the machinery of the federal government. The rules of Jefferson's manual were to him as mysterious as the Delphian oracle. Hence his efforts in the house of representatives were abortive, and so notoriously so, that he was not returned. The struggle then pending in Texas was more to his taste, and he came to take part in it.

Don Augustine Viesca and his secretary, Don Irala, having made their escape from Mexico, sought an asylum in Nacogdoches. They were received by the citizens with open arms, not only because of their adherence to republican principles, but because of the high offices they held in the late government of Coahuila and Texas. A sumptuous table was spread for them in the large hall of Major Nixon, and they had sat down, with the citizens, on the 5th of January, 1836, to partake of it. It was then announced that David Crockett had arrived in town, on his way to the Texan army. A committee was forthwith despatched to wait on him and bring him to the feast. His appearance in the hall was greeted with three hearty cheers. He added greatly to the pleasure of the company by his numerous and quaint stories.* Having declared his intention to become a citizen of Texas, he proceeded to the office of Judge Forbes, to take the oath of allegiance. He refused, however, to subscribe to it, until that clause requiring him to "bear true allegiance to the provisional government of Texas, or any future government that might be thereafter declared," was so interlined as to make it read "any future *republican* government."† Having settled these points, he set out with a few companions for the seat of war, and reached the Alamo in time to reap a rich harvest of its glory and blood.

Before proceeding to narrate the stirring military events in the west, it is proper that we should witness the birth of the new republic; for, up to the 2d day of March, 1836, every officer was bound by his oath, and both officers and citizens by allegiance, to the Mexican federal constitution of 1824.

The Texan convention met on Tuesday, the 1st day of March, at Washington, on the Brasos, and organized by electing Richard Ellis president, and H. S. Kimball secretary. On the following day the delegates solemnly declared the political connection of Texas with Mexico for ever at an end, and, as the representatives of the people of Texas, constituted her a free, sovereign, and INDEPENDENT REPUBLIC, fully invested with all the rights and attributes which properly belong to independent

* "Emigrant's Guide," January 16, 1836.

† Kennedy, vol. ii., p. 192.

nations. The causes set forth in that document, as producing the separation, were truthful enough, and such as would justify any nation, under like circumstances, in taking a similar step.* The convention wisely took no time to look into the merits of the controversy between Governor Smith and his council, but passed it by, and proceeded to divide out the work of framing a constitution for the new republic. Other matters, however, claimed immediate attention. The threatening attitude of Santa Anna required that Texas should not only have an army to oppose him, but that such army should have a commander-in-chief. Accordingly, on the 4th of March, on motion of James Collingsworth, Sam Houston was unanimously chosen to that responsible office, his authority extending over the regulars, volunteers, and militia, in the field. On the 6th, he received his instructions, submitting the point of his headquarters to his own judgment.† The more energetic organization of the militia also required attention. The convention made all able-bodied males, between seventeen and fifty years of age, subject to military duty. One individual was appointed for each municipality, to form a list of all such within his boundary. The names were to be drawn until the number, at any time called for, was obtained; and those so drawn were bound to serve, under the severest penalties—for a term, however, not exceeding six months.* To increase the number of volunteers, and encourage those already in the service, lands were promised. To all such then in the service, and who should so continue during the war, were granted twelve hundred and eighty acres; for six months' service, six hundred and forty acres; for three months' service, three hundred and twenty acres; and for all who should thereafter enter the service, and continue in it six months, and during the war, nine hundred and sixty acres.† Such were the inducements offered.

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* For a list of the delegates, see Appendix No. III. "Notwithstanding the cold weather, the members of the convention met to-day [Tuesday, March 1], in an unfinished building, without doors or windows. In lieu of glass, cotton cloth was stretched across the windows, which partially excluded the cold wind. . . . On motion of George C. Childress, a committee, consisting of Messrs. George C. Childress, Colin M'Kinney, Edward Conrad, James Gaines, and Bailey Hardiman, were appointed to prepare and report a Declaration of Independence, with directions to report as speedily as possible."—*Notes of Colonel William F. Gray.*

"Wednesday, March 2, 1836.—The convention met pursuant to adjournment. Mr. Childress, from the committee, reported a Declaration of Independence, which he read in his place. It was received by the house, committed to a committee of the whole, reported without amendment, and unanimously adopted, in less than one hour from its first and only reading."—*Ib.*

† Collingsworth and Ellis to Houston, March 6, 1836.

The convention, through its president, sent forth to the people of the United States a stirring address, appealing for sympathy and aid.‡

The constitution was adopted by the convention on the 16th, but was not signed till the following day. It was thoroughly republican. Its provisions were a combination of the principles in the federal and state constitutions of the Union. It provided for a president, vice-president, and a Congress of two houses; and, for immediate purposes, it established a government *ad interim*. This was the more necessary, as the constitution was to be submitted to the popular vote. The form of the temporary government was in accordance with the constitution. This labor being concluded, the convention proceeded, on the 16th of March, to elect the several officers provided for in the temporary arrangement.‖ David G. Burnet§ was chosen president, Lorenzo de Zavala vice-president, Samuel P. Carson secretary of state, Bailey Hardiman secretary of the treasury, Thomas J. Rusk secretary of war, Robert Potter secretary of the navy, and David Thomas attorney-general. The oath of office was immediately administered to these persons, and they entered upon their several duties. On the following day the convention adjourned.

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* Ordinance of the Convention of March 12, 1836.

† Ib., March 17, 1836. ‡ Ib., March 16, 1836.

‖ Journal of the Convention, March 16, 1836: MS.

§ "David G. Burnet, the provisional president," says Kennedy, an impartial writer, "was the son of a physician in Newark, New Jersey, who, in 1775, abandoned his profession, and devoted himself to the cause of the American Revolution. . . . Mr. Burnet was educated for the legal profession; and a writer in a respectable American periodical states that he was long a resident of Ohio, where he is remembered as a man of unblemished reputation, courteous man-

Among the provisions of the constitution of the republic was one introducing the *common law* as the rule of decision in criminal cases; and requiring its introduction, with modifications, in civil proceedings. Another provision introduced the political division of the state into convenient counties.[*] These, with the establishment of well-known common-law offices, removed almost every vestige of former dynasties; so that one afterward immigrating into Texas, with the exception of occasional jarring from the limited partnership between husband and wife, and forced heirship, would feel as free and familiar with the institutions of his new home as he did in the state of his origin, in the American Union.

General Houston was present at the convention, having been returned as a delegate from Refugio; and, deeming his authority *in fact* superseded by the action of the council, he had ceased to act as commander-in-chief of the army. The Declaration of Independence required a new appointment, for his

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ners, and intellectual attainments. My own short acquaintance with Mr. Burnet gave me a very favorable impression of his character. In the affairs of Texas he has always been distinguished by calmness and moderation, and has not unfrequently been exposed to censure for declining to keep pace with popular impatience. This prudence and forbearance, united with firmness and perseverance, well qualified him to fill the difficult post to which he had been called by the convention."—Vol. ii., p. 195. President Burnet, in entering upon the duties of his office, delivered, in his usual happy style, an inaugural address, replete with good advice and cheering hopes. He was elected over Samuel P Carson by a majority of seven votes. Zavala had no opposition.

[*] Constitution of the Republic of Texas, Article IV., Sections 11, 13.

former oath of office was under the constitution of 1824, and in obedience thereto.

During the sitting of the convention, the country was greatly excited and filled with gloomy apprehensions. Every effort was made to hasten troops to the west, tc relieve Travis and Fannin from their supposed perilous position, but with little avail. Some one or two hundred effective men hung about the hall of the convention, and no inducement could start them toward the west till the adjournment of that body. On the day before General Houston received his final instructions, a member introduced a resolution requesting that he would immediately set out for the army, or resign. Houston, in reply, stated that if the gentleman would withdraw the resolution, he would say that "he purposed to set out for the army on the next morning, and would gladly have his company." The resolution was withdrawn, but the mover did not go to the army.* Accordingly, on the 6th of March, the commander-in-chief, after placing Colonel Collingsworth in command of the forces at Washington, set out for the west, accompanied only by Colonel George W. Hockly, of his staff, and one or two others.

It is proper that we now return to the operations of the enemy. It will be remembered that Santa Anna reached the Alazan at noon, on the 23d day of February; and Urrea arrived at San Patricio before dawn on the morning of the 27th. At two o'clock in the afternoon, Santa Anna marched into San Antonio.† The Texan guard in the town retired in good order to the Alamo. Colonel Travis, in anticipation of an attack, had done what he could to strengthen the walls, and provide means for defence. The Alamo, though strong, was built for a mission, and not for a fortress. The walls are thick, but of plain stone-work, and without a redoubt or bastion to command the lines of the fort. The main wall is a rectangle, one hundred and ninety feet long, and one hundred and twenty-two feet wide. On the southeast corner was attached the old church, a large building, and containing the magazine and soldiers' quarters. Adjoining this on the east side was the stone *cuartel* for horses. About midway of the east side of the main wall, but within it, was a two-story stone building; the upper story being used for a hospital, and the lower one for an armory, soldiers' quarters, &c. There were four pieces of artillery mounted on the side toward the town, and a like number facing the north; two on the side of the church, and four to defend the gate which looked toward the bridge across the San Antonio river. The place was supplied with water from two aqueducts running on either side of the walls.[*] But Travis was greatly deficient in men, provisions, and ammunition.

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* Statement of Dr. B. B. Goodrich: MS.

† Almonté's Journal.

Santa Anna immediately demanded a surrender of the Alamo and its defenders, without terms. The demand was answered by a shot from the fort. The enemy then hoisted a blood-red flag in the town, and commenced an attack. It was intended to be by slow approaches, for at first the bombardment was harmless. Travis sent off an express with a strong appeal for aid, declaring that *he would never retreat.*[†] Early

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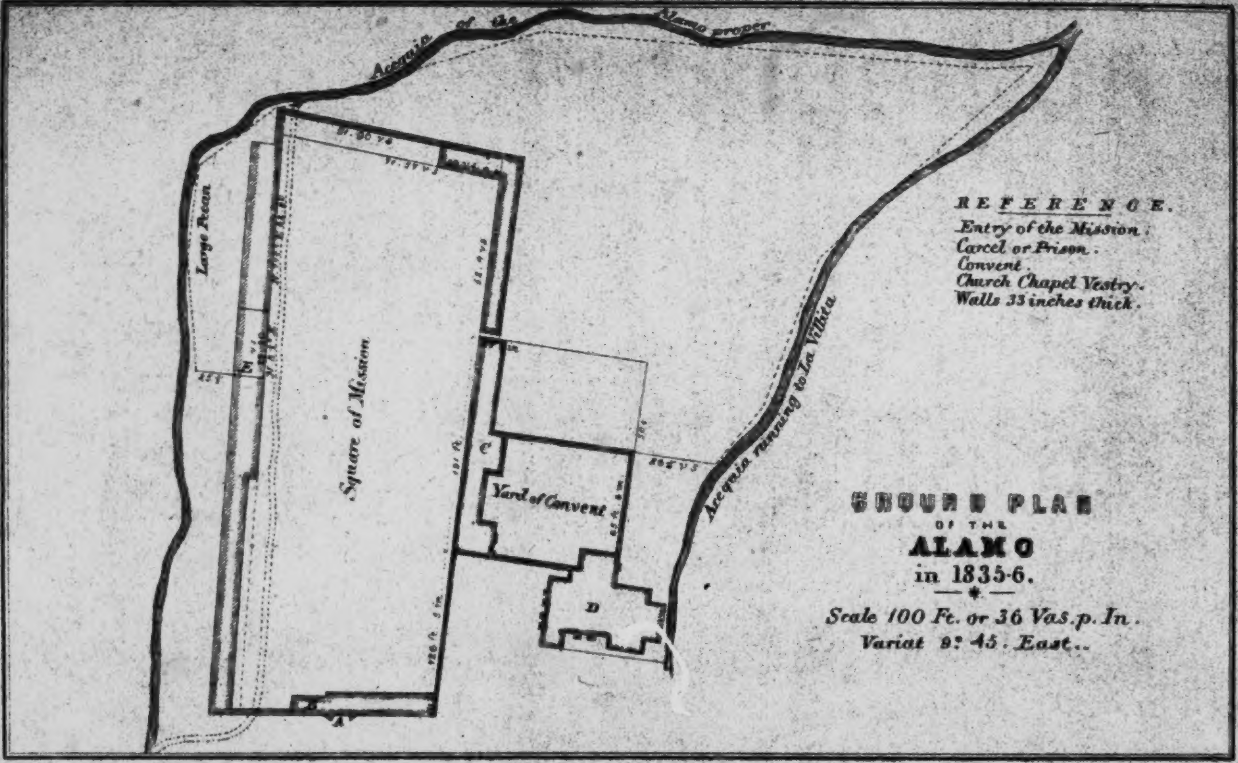
[*] Letter of G. B. Jameson, with plot and description of the Alamo, January 18, 1836.

[†] "COMMANDANCY OF THE ALAMO, BEXAR, *February* 24, 1836.

"FELLOW-CITIZENS AND COMPATRIOTS: I am besieged by a thousand or more of the Mexicans under Santa Anna. I have sustained a continued bombardment for twenty-four hours, and have not lost a man. The enemy have demanded a surrender at discretion; otherwise the garrison is to be put to the sword, if the place is taken. I have answered the summons with a cannon-shot, and our flag still waves proudly from the walls. *I shall never surrender or retreat.* Then I call on you in the name of liberty, of patriotism, and of everything dear to the American character, to come to our aid with all despatch. The enemy are receiving reinforcements daily, and will no doubt increase to three or four thousand in four or five days. Though this call may be neglected, I am determined



GROUND PLAN
OF THE
ALAMO
in 1835-6.

Scale 100 Ft. or 36 Vas. p. In.
Variat 9°. 45. East.

on the 25th, Santa Anna in person crossed the river with the battalion de Cazadores of Matamoras, with a view of erecting a battery in front of the gate of the Alamo. Travis made a strong resistance, and the Mexicans were reinforced by the battalion of Ximines. The enemy, according to their own account, lost in this action, which continued until the afternoon, eight in killed and wounded.* They, however, succeeded that night in erecting their battery, being protected by some old houses between the gate of the Alamo and the bridge. It was three hundred yards south of the place. They also erected another, the same night, near the powder-house, or *Garita*, a thousand yards to the southeast; and posted their cavalry at the old *Casa Mata* on the Gonzales road, toward the east. At night, Travis burnt the straw and wooden houses in the vicinity of the fort.

Early in the morning of the 26th, there was a slight skirmish between a portion of the Texans and the enemy's cavalry stationed east of the fort. A *norther* having sprung up on the previous night, the thermometer fell to thirty-nine degrees above zero. Meanwhile, Santa Anna had received reinforcements, and now enlarged his guard, the sentinels being placed nearer the fort. The Texans sallied out for wood and water, without loss; and at night they succeeded in burning some old houses northeast from the fort, and near a battery erected by the enemy on the Alamo ditch, about eight hundred yards distant.†

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to sustain myself as long as possible, and die like a soldier who never forgets what is due to his own honor and that of his country. Victory or death!

"W. Barret Travis, *Lieutenant-Colonel commanding.*

"P. S.—The Lord is on our side. When the enemy appeared in sight, we had not three bushels of corn. We have since found, in deserted houses, eighty or ninety bushels, and got into the walls twenty or thirty head of beeves.

"T."

* Almonté's Journal. Travis's account of this action, directed to General Houston, seems to have been lost, or cut off by the enemy.

† Almonté's Journal. Travis to President of the Convention, March 3, 1836.

During all this time the Mexicans kept up a constant firing, but with little effect. On the 28th, they erected another battery at the old mill, eight hundred yards north, and attempted to cut off the water from the fort. The Texans were engaged in strengthening their works, by throwing up earth on the inside of the walls.

It is proper here to state that Travis wrote on the 23d to Colonel Fannin, then at Goliad, making known his position, and requesting him to march to his relief. The letter reached Goliad on the 25th. Fannin set out on his march for Bexar on the 28th, with three hundred men and four pieces of artillery, leaving Captain Westover in command at Goliad, with about a hundred men. But he had only proceeded two hundred yards, when one of his wagons broke down, and, having but one yoke of oxen to each piece of artillery, he was compelled to double his teams in order to get them, one at a time, across the river. Besides, his only provisions consisted of a tierce of rice and a little dried beef. A council of war was therefore held, when it was determined to return to Goliad,* which was accordingly done.

The intelligence of Fannin's departure for Bexar was received by the enemy at the latter place the same day on which he started; and, before the council of war, above alluded to, was closed, on the 29th, General Sesma, with detachments of cavalry and infantry, was on his march to meet him.

On the morning of the 1st of March, thirty-two gallant men from Gonzales were safely conducted by Captain John W. Smith into the Alamo, making the effective force under Travis one hundred and eighty-eight men. The bombardment of the fort still continued. The Texans, being short of ammunition, fired but seldom. In the evening, however, they struck the house occupied by Santa Anna in Bexar with a twelve-pound shot. On the 2d, the attack was still maintained. The Texans continued the fight as their means and strength would allow. On the 3d, the enemy erected a battery on the north of the fort, and within musket-shot. Travis addressed a last appeal to the president of the convention, setting forth fully his position and determination. He stated that the "blood-red banners which waved on the church at Bexar, and in the camp above him, were tokens that the war was one of vengeance against rebels." Perhaps by the same courier he sent the affecting note to his friend in Washington county: "Take care of my little boy. If the country should be saved, I may make him a splendid fortune; but if the country should be lost, and I should perish, he will have nothing but the proud recollection that he is the son of a man who died for his country."* On that day, J. B. Bonham, who had gone as express to Fannin for aid, returned and made his way safely into the fort at eleven o'clock in the morning. At night the Texans made a sally, and had a skirmish with the Mexican advance.

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* Fannin to Lieutenant-Governor Robinson, February 29, 1836.

The enemy continued the fire on the 4th; but few shots were returned from the fort. In the afternoon, Santa Anna called a council of war, to advise on the question of assaulting the place. After much discussion, "Cos, Castrillon, and others, were of opinion that the Alamo should be assaulted *after* the arrival of the two twelve-pounders expected on the 7th. The president, General Ramirez, Sesma, and Almonté, were of opinion that the twelve-pounders should not be waited for, but the assault made."* Santa Anna, without making a public decision, determined upon an assault, and made his preparations accordingly. His troops then in Bexar exceeded four thousand in number, the most of whom had been refreshed during the time they had spent there. The Texans, on the contrary, were worn down by incessant watching and labor within their walls.

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* In a letter of Travis, dated the 3d of March, and furnished me by Jesse Grimes, Esq., he says: "I am still here, in fine spirits, and well to do. With one hundred and forty-five men, I have held this place ten days against a force variously estimated from fifteen hundred to six thousand; and I shall continue to hold it till I get relief from my countrymen, or I will perish in its defence. We have had a shower of bombs and cannon-balls continually falling among us the whole time, yet none of us have fallen. We have been miraculously preserved."

On Sunday morning, the 6th of March, a little after midnight, the Alamo was surrounded by the entire Mexican army. The cavalry were placed without the infantry, to cut them down if they offered to give way. The latter were provided with scaling-ladders. The enemy, thus forming a circle facing the fort, advanced rapidly under a tremendous fire from the Texan rifles and artillery. Just at daylight the ladders were placed against the walls, and an attempt made by the enemy to enter the fort, but they were driven back by the stern defenders within. Again the charge was sounded, and a second effort made to reach the top of the walls, but again the assailants were repulsed. For a few minutes there was a pause. By the presence, threats, and promises, of Santa Anna, a third assault was made, and with more fatal success. The enemy, reaching the tops of the ladders, wavered and fell; but their places were supplied by the hundreds pressing onward and behind them on each ladder. At length, killed, cut down, and exhausted, the Texan defenders did not retreat, but ceased to keep back the Mexicans. Instantly the fort was filled by the latter. The survivors within the walls still continued to do battle. They clubbed their guns, and used them till they were nearly all cut down. It is said that a few called for quarter, but the cry was unheeded. One would suppose that admiration for such unequalled heroism would have saved these few. Travis and Crockett fell—the former near the western wall, the latter in the corner near the church—with piles of slain around them. It had been previously agreed on by the besieged that the survivor should fire a large quantity of damaged powder in the magazine. Major Evans, the master of ordnance, was shot as he attempted to perform that last high duty to his country. Colonel Bowie, who had been for some days sick in his bed, was there butchered and mutilated!

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* Almonté's Journal.

Thus fell the Alamo and its heroic defenders; but before them lay the bodies of five hundred and twenty-one of the enemy, with a like number wounded. At an hour by sun, on that sabbath morning, all was still; yet the crimson waters of the aqueduct around the fort resembled the red flag on the church at Bexar! The defenders of Texas did not retreat, but lay there in obedience to the command of their country; and in that obedience the world has witnessed among men no greater moral sublimity.

Those in the fort that survived were, Mrs. Dickinson (wife of Lieutenant Dickinson, who fell in the defence), her child, a negro-servant of Colonel Travis, and two Mexican women of Bexar.* The bodies of the Texans, after being stripped and subjected to brutal indignities, were thrown into heaps and burnt! The most of them were Americans, many of them colonists, who emigrated to Texas under the assurance of the colonization laws that their rights and liberties should be protected. The Mexicans in Bexar were mostly hostile: only three of them were among the defenders of the Alamo.

* Account furnished by Mrs. Dickinson. Telegraph, March 24, 1836. Statement of Antonio Perez, on the evening after the battle. Perez gives the number of the Mexican killed and wounded as stated: it seems to be most reliable, as he remained several hours after the storming. He says Travis killed himself. This is hardly credible.

The enemy's victory was complete, yet his force was as sixteen to one, and his loss in slain nearly three times the entire number of the defenders. From the known character of Santa Anna, he doubtless rejoiced. Believing the war at an end, and Texas at his feet, he so announced it in his despatches to his subordinates at home. And the authorities and people there believed it, and so congratulated him. "With pleasure do I sincerely congratulate your excellency," observes José M. Ortis Monasterio, secretary of state, in a letter from Mexico, dated the 22d of March, "for the brilliant triumph achieved over the perfidious colonists by the national arms under your command. This terrible lesson will be to us fruitful in prosperous results; besides, it will teach the sympathizers among our evil-disposed neighbors not to contend against your military talents, and the valor and decision of the brave soldiers who have covered themselves with honor in an assault so heroic. Providence is propitious to us, and has destined your excellency to be the savior and preserver of the republic. Glorious with these titles, and ever patriotic, your excellency has garnished your temples with laurels of unwithering fame."* Almonté, only three days before the storming of the Alamo, viewed the Mexican success there as effectually ending the war; for, in his journal of the 3d of March, he says he wrote to Mexico, directing his letters to be sent to Bexar, and that before three months the campaign would be terminated."†

Having refreshed his troops, and provided as he could for his numerous wounded, Santa Anna laid down the programme for future operations, to be conducted by General Filisola, his second in command; after completing which, he proposed to return to Mexico. Accordingly, on the 11th of March, he ordered Generals Sesma and Woll, with six hundred and seventy-five infantry, fifty dragoons, two six-pounders, and eight days' rations, to march to San Felipe, on the Brasos, and thence to Anahuac by way of Harrisburg. At the same time he directed Colonel Juan Morales, with two battalions of about four hundred men, one mortar, one eight and one twelve pounder, and a month's rations, to proceed to Goliad. Before he decided as to the further disposition of his forces, he received information from General Urrea, at San Patricio, that he was on his march to Goliad, and that Fannin was there fortified, with about five hundred infantry and fourteen pieces of artillery, and would defend the place. He also received intelligence from General Sesma that the Texans were twelve hundred strong on the Colorado, and disposed to defend the passage of that river. To meet this unexpected resistance, Santa Anna directed General Tolsa, with two battalions and forty dragoons, with a month's rations, to aid Sesma; and Colonel Montoya, with the regular militia of Tres Villas and Queretaro, a twelve-pounder, and like rations, to assist Urrea. The orders given to these officers were to shoot all the prisoners taken!* Another detachment of Mexicans, under General Gaona, was to march to Nacogdoches, with like orders; but its departure was postponed, to await the issue at Goliad.

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* This was one of the letters afterward taken from the courier by Deaf Smith, and the "savior and preserver of the *republic*" never had the pleasure of reading it.

† See also Filisola's Defence, p. 8.

Colonel F. W. Johnson, having received his authority from the council, repaired with Dr. Grant to San Patricio, where they established their headquarters. With a force varying from seventy-five to one hundred and fifty men, they sent out parties to scour the country west to the Rio Grande. On one occasion they captured a small party of Mexicans under Captain Rodriguez. These they afterward released. At the time

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* Filisola's Defence, pp. 8, 9.

General Urrea marched upon San Patricio, Grant was absent on a scout, with about fifty men, leaving some forty in San Patricio. Urrea took the latter completely by surprise, and, though they fought long and vigorously, they were overpowered by numbers, and put to the sword.

After this victory, Urrea sent out scouts in search of Grant. At length, on the 1st of March, getting news that he was on his return, the Mexican commander set out at dark to meet and surprise him. At a creek called *Agua Dulce*, about twenty-six miles below San Patricio, the enemy formed an ambush. They were divided into two parties for the purpose of surrounding Grant—the one commanded by Colonel Garay, and the other by Urrea himself. Between eight and nine o'clock, on the morning of the 2d of March, Grant came up, and was completely surprised and defeated. He was wounded and taken prisoner. While his followers were slaughtered, he was detained a captive, that the enemy might have the benefit of his services in attending to their numerous wounded.* Of the entire command under Johnson and Grant at San Patricio, five only—Johnson, Tone, Beck, Toler, and Miller—were so fortunate as to escape,† and these were engaged in the affair at the town.

While Dr. Grant was in San Patricio, curing his own wound, and carefully ministering to the wants of the wounded of the enemy, he was promised that, so soon as he recovered, and those under his care were convalescent, he should have a passport to leave the country without molestation. The captain left in command of the town, after the departure of Urrea, secretly despatched eight men in search of a wild horse. The animal was captured about three weeks after the battle of the

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* *Diario Militar del General José Urrea.*

† Fannin to Lieutenant-Governor Robinson, March 1, 1836.

2d of March. Grant was now brought forth, and, by order of the captain, his feet were strongly bound to those of the horse, and his hands to the tail. "Now," said the captain, "you have your passport—go!" At the same moment the cords by which the *mustang* was tied were severed. The fierce animal, finding his limbs unfettered, sprang away with great violence, leaving behind him, in a short distance, the mangled remains of poor Grant! Nothing can be added to this simple statement of facts.*

To return to Colonel Fannin. On reaching Refugio, thirty miles below Goliad, he learned through Major Morris, who had gone on to San Patricio with Johnson and Grant, of the advance, in force, of the Mexicans. This suspended the contemplated march on Matamoras. Fannin now took steps to concentrate his troops at Goliad, and endeavored to have the advance at San Patricio withdrawn;† but the latter, holding an independent authority from the council, refused to retreat. Having taken post at Goliad, and obtained a supply of provisions, he went to work to repair that place. He complained much, and with justice, of the apathy of the Texans in not turning out more willingly to meet the enemy at the frontier, and stated the fact that he could not find a half-dozen Texans in his ranks. It is proper also to state that, although Fannin was a colonel in the regular army of Texas, he was, on the 7th of February, elected to that rank, and Major Ward lieutenant-colonel, of their united volunteers.‡

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* Statement of the death of Dr. James Grant: MS. General Urrea, whose diary is said, by a writer in the "Democratic Review" (1838, p. 305) to be "a publication marked by all the blunt honesty of the soldier," is worthy of very little credit. He says Grant was killed in the action of the 2d of March. It is to be regretted that there is so little light on this portion of Texan history. Urrea's character is that of an intriguing, cruel, and false man. His conduct toward his own comrades, as well as toward the Texans, proves him so.

† Fannin to Lieutentant-Governor Robinson, Feb. 7, 1836. ‡ Ib., Feb. 8, 1836.

The improvements on the fort, which Fannin named *Defiance*, consisted in blockhouses, picketing, ditching, filling in with earth and stone, &c., and mounting necessary artillery for its defence; all of which was done under the immediate direction of Lieutenant Chadwick of the engineers. Between the middle and last of February the troops at Goliad suffered for both provisions and clothing. In some instances they were compelled to mount guard barefooted. We have already seen the fruitless effort made by Fannin on the 28th of February to march to the relief of Travis at San Antonio—an effort which failed for want of provisions and means of transportation. He therefore returned to the fort, and was again occupied in improving his defences.

Colonel Fannin's position had for some time been peculiarly unpleasant. He was aware of the fact that for him to remain in his exposed situation, so far from aid in men and *materiel*, and in the face of so strong an enemy, was not the policy of the commander-in-chief; yet his orders from Lieutenant-Governor Robinson were, "to not make a retrograde movement, but await orders and reinforcements."* Thus, between these conflicting authorities, this noble man and the gallant troops under his command were about to become victims.

Hearing of the advance of the Mexicans upon Refugio, Colonel Fannin sent Captain King with twenty-eight men to remove some families yet at the mission. King reached there on the 12th of March, but seemed to have delayed his departure until the advance of Urrea's cavalry came up. He then took position with his small force in the mission, and kept the enemy at bay until he could send a messenger to Fannin at Goliad. The messenger reached the latter place about midnight on the 12th, and Fannin immediately despatched Colonel Ward with a hundred men to his relief. Ward arrived at the mission on the evening of the 13th.* In the meantime, Urrea, then on his march to Goliad, received news of the resistance made by King, and on the 13th despatched Captain Pretalia, with a company of cavalry, to keep the Texans engaged till he could come up with the main body.† The latter reached the mission at daybreak on the 14th, but Ward had got into the mission.

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* Fannin to Robinson, February 21, 1836.

Meanwhile, General Houston, on his arrival at Gonzales, despatched Captain Desauque with an order to Colonel Fannin, dated the 11th of March, commanding him, as soon as practicable after the receipt of the order, to fall back upon Victoria, on the Guadalupe, taking with him such artillery as could be brought off with expedition, previously adopting measures to blow up the fort before leaving its vicinity.‡ This order was received by Colonel Fannin on the morning of the 14th,‖ who immediately despatched an express to Ward, stating the nature of Houston's order, and requiring him to return with all haste to Goliad. Fannin also sent out parties for teams and carts, and commenced dismounting and burying several of his guns. On the same day, he sent a note to Colonel A. C. Horton, at Matagorda, requesting him to join him as early as possible with the two hundred men under his command. This note fell into the hands of General Urrea; but Horton joined Fannin on the 16th with twenty-seven mounted men.

To return to the mission of Refugio. Colonel Ward gave orders to set out on the march to rejoin Fannin on the following morning (the 14th) at daybreak. When the morning dawned, however, it was believed, from the report of one of the sentinels, that the Mexicans were in large force in the neighborhood. To satisfy themselves on this point, Captain King was sent out with thirteen men to ascertain the fact. Shortly afterward a firing was heard in the direction King had taken. Ward with his command advanced rapidly till they found themselves in front of six or eight hundred of the enemy. Ward again retreated to the mission. The church was an old stone building, in ruins, but strong. Three sides of it were, however, exposed to an assault. The fourth side was formed by a stone wall, one hundred and fifty feet in length, used as a place of burial, and containing many tombs: from the end of this wall the ground descended. Captain Bulloch's company of thirty-five men were placed in the churchyard to protect the mission from an assault in that direction. The remainder of Ward's command barricaded the church, made loopholes, and otherwise prepared for defence. General Urrea now ordered a charge, at the same time bringing up a four-pounder to batter down the door. The Texans waited till their rifles could take effect, when they opened such a fire, that the enemy, after repeated charges, broke and fled.* During this affair, which lasted nearly all of the 14th of March, the Mexicans lost about two hundred in killed and wounded: the Texan loss was only three severely wounded!

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* Statement of Captain John Shackleford; Foote, vol. ii., p. 228. Letter of Samuel G. Hardaway, dated "Macon, June 6, 1836."

† Urrea's Diary.

‡ Appendix No. I.—Document No. 19.

‖ Statement of Captain Shackleford. The letter of Colonel Fannin intercepted by Urrea, and published in his diary, shows that Houston's order was received on the morning of the 14th.

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* Urrea smoothes over this retreat quite handsomely: "The enemy, though at first confounded by the movement, opened a lively fire upon our infantry, the greater part of whom, being recruits from Yucatan, could not sustain it, and fell back, nor could my exertions avail to bring them forward again; and their native officers, who, a few moments before, had been all boasting and arrogance, disappeared in the most critical moment! These soldiers, with few exceptions, do not understand Spanish; and the officers, unacquainted with their *patois*, found it difficult to make them understand the word of command. The infantry having fallen back upon a house and courtyard situated at fifteen or twenty paces from the church, I ordered a part of the cavalry to alight, in order to inspirit them by their example; but all would not do. The cavalry alone was unequal to carry the place. The moment was urgent; and I ordered a retreat, which, however, could not be effected with the order that disciplined troops would have maintained."

The enemy having retreated to their camp, some five or six hundred yards distant, had posted sentinels around the mission. At night the Texans, finding their ammunition nearly exhausted, determined to retreat; but, as they could not remove their wounded, they resolved first to leave them a supply of water. Accordingly, after dark, the whole Texan command marched to the spring, about four hundred yards distant, dispersed the enemy's guard stationed there—killing four of them—supplied themselves with water, filled the gourds of their wounded comrades, and bade them a last farewell.

Colonel Ward with his forces then set out on their retreat; and, marching through the woods and swamps, where the enemy's cavalry could not follow, they reached the San Antonio river on the third day. On the second day, however, a few of the men left the command in search of water, but did not again join it. The next morning, the 19th, Ward crossed the river, and resumed the march in the direction of Victoria. That evening they heard the firing between Fannin and Urrea, apparently about ten miles distant. They endeavored to reach the combatants, but, darkness coming on, they found themselves in the Guadalupe swamp, where they spent the night. On the following morning, in emerging from the river-bottom into the prairie, they were attacked by some five hundred of the enemy's cavalry. The Texans fired about three rounds, when, their powder being entirely exhausted, they retreated into the swamp, where they passed the night. The next day, the 21st, Ward set out again toward Victoria, where he and his command surrendered to the enemy as prisoners-of-war.

To return to Captain King. He had been sent out, on the

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* Letter of Samuel G. Hardaway, June 6, 1836.

morning of the 14th, to reconnoitre; but his return to the mission being cut off, he attempted to reach Goliad. He lost his way, however, and found himself, after two days' march (on the morning of the 16th), only three miles from the mission, in an open prairie, and his ammunition wet. Under these circumstances, he was surrounded, and obliged to surrender, previous to which one of his men was mortally wounded. In six hours afterward, Captain King and his command were shot, on the road to Goliad, about a mile from the mission, and, being stripped of their clothing, were left a prey to wild beasts!*

General Urrea took possession of the "Old Mission" on the morning of the 15th. He found there only the three wounded Texans, who were soon despatched, and thrown out, to give place to his own wounded. Leaving these under the care of Colonel Vara and a small command, he sent the whole of his disposable cavalry in pursuit of Ward, and set out himself with the advance, consisting of two hundred horse and foot, on the morning of the 16th, toward Goliad, sending a reconnoitring party still ahead of his advance.†

Colonel Fannin, receiving no news from his first express to Ward, sent a second, and then a third, who were perhaps all taken by the enemy. It was only on the 18th that he first received any account of Ward. On the 17th, Colonel A. C. Horton, who had come in the day before from Matagorda, was ordered to reconnoitre the enemy. On his return, he reported a large force of them a few miles from the fort, marching slowly and in good order. Colonel Fannin immediately had the cannon dug up and remounted, expecting an engagement that night or the next morning. During the night of the 17th, the guard was doubled. The enemy were seen hovering about the place on the 18th, and in some force on the left bank of the

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* Kennedy, vol. ii., p. 201.

† Urrea's Diary.

San Antonio river, near the old mission. Colonel Horton was sent over with such mounted force as he could collect, and made a furious charge upon the party at the mission. The latter retreated to the timber, and, being there supported by their infantry, Colonel Horton fell back in good order. Captain Shackleford volunteered to go over with his company to the aid of Horton; but just as they were about to commence the attack, the guns from Fort Defiance caused the enemy to make a precipitate retreat.

Having determined on his retrograde movement the next morning, Fannin made his arrangements accordingly. Before day, Colonel Horton and his twenty-eight horsemen were in the saddle, and proceeded on the Victoria road. The way being reported clear of the foe, the fort was dismantled, the buildings burnt, and the Texan force, about three hundred strong, set out early. It was ten o'clock, however, before the rear-guard had crossed the San Antonio river. Much time was consumed in getting the artillery up the banks; besides, a cart broke down, and its load had to be distributed among the other wagons. Still they advanced in good order, and as briskly as the ox-teams and the freight would permit. At length, after a march of six or eight miles toward the waters of the Coleta, Colonel Fannin ordered a halt, to graze and rest the oxen, and refresh the troops. Fannin had all along committed the error of entertaining a too great contempt for the enemy. Captain Shackleford remonstrated against the halt until they should reach the Coleta, then five miles distant, but he was overruled. "Colonel Fannin and many others," says the gallant captain, "could not be made to believe that the Mexicans would dare follow us."*

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* The account of the battle of the Coleta is taken mostly from the notes of Captain Shackleford, and from a narrative published by Kennedy, vol. ii., p. 203.

After a halt of an hour, the march was resumed. Colonel Horton with his cavalry was sent in advance, to examine the Coleta crossing. Shortly after resuming the march, two of the enemy appeared, as if coming out of the timber bordering on the Coleta, about a mile distant, and rather to the rear and right of the Texan army; then four more appeared, and finally three hundred and fifty cavalry emerged from the same quarter, and advanced rapidly with the view of cutting off the Texans from the skirt of timber about a mile or more in front. "Our artillery," says Captain Shackleford, "was ordered to open on them, and cover our rear. About this time we discovered a large force of infantry emerging from the same skirt of woodland at which their cavalry had first been seen."

Fannin attempted to reach the timber in front, but the rapid approach of the enemy determined him to prepare immediately for battle. They were in an open prairie, the nearest timber being that in front. The breaking down of an ammunition-wagon also hindered them from advancing to an eminence near by; they were therefore compelled to form in a depression in the plain, six or seven feet below the surrounding surface. The Texans were compelled to form in an oblong square, the artillery being judiciously posted. The enemy's cavalry coming up within a quarter of a mile, dismounted, and fired a harmless volley with their *scopettes.* Thus they continued to advance and fire. Colonel Fannin, with great coolness, repeated to his men the order "not to fire." By this time all the Texan infantry sat down, leaving the artillerists and Colonel Fannin alone standing. The Mexican cavalry having now come within one hundred yards, the command was given, and the Texans opened a fire with rifles, muskets, and artillery. About this time Colonel Fannin received a wound in the fleshy part of the thigh. While engaged with the enemy's cavalry on their right flank, the Texans found the Mexican infantry, one thousand or twelve hundred strong, advancing on their rear and left flank. Coming within range, they fired a volley, and charged bayonets. They were received by a piece of artillery, Duval's riflemen, and some other troops, whose fire cut them down with great slaughter. This Mexican infantry was the celebrated Tampico regiment. They fell down in the grass, and occasionally raised up to shoot; but whenever they showed their heads, the Texan rifles generally took them down. A body of the enemy's cavalry then made an attempt upon the Texan rear; but, at a distance of sixty yards, they were so well received with double canister charged with musket-balls, and by the riflemen, that they fell by scores, and made a sudden retreat, choosing to return afterward on foot.

The conflict had by this time become general. The Texans having no water to sponge their cannon, they became so hot they could not use them, but were forced to rely wholly on their small-arms. With these they continued the fight most manfully from one o'clock until sundown. At dusk, the Campeachy Indians (who could not well understand the word of command at the mission of Refugio) were placed in the high grass, about thirty yards from the Texan lines, from which they poured a destructive fire; but so soon as it was sufficiently dark for the Texans to see the flash of their guns, they seldom flashed twice from the same point. Among those wounded was Harry Ripley, a son of General Ripley, of Louisiana, a youth of eighteen years. He had his thigh broken. Mrs. Cash (who was with the Texan army), at his request, helped him into a cart, and fixed a prop for him to lean on, and a rest for his rifle. Thus he continued the fight until another shot broke his right arm. Such was the spirit of the Texans at the battle of the Coleta.

A little after dark, General Urrea drew off his troops. The Texans lost during the day seven killed, several mortally and sixty badly wounded. The enemy's loss must have been five times as great. Urrea's force in the action was estimated at twelve hundred infantry and seven hundred cavalry. The Texans, exclusive of Colonel Horton's mounted force, were about two hundred and seventy-five in all. Horton, having gone on in advance to examine the pass of the Coleta, had dismounted with his men. So soon as they heard the firing between the contending parties in their rear, the word "To horse!" was given, when the party galloped back to the prairie. Here they had a full view of the engagement; and, seeing the Texans very nearly surrounded by so large a force of the enemy, Horton's lieutenant, *Moore*, objected to any attempt to reach their comrades by penetrating the Mexican lines, alleging that they would all be cut to pieces. Immediately he dashed off in another direction, taking with him nearly all the party. Colonel Horton, being thus left with so few men, had no other alternative than to retire also. He therefore retreated to Victoria.*

The description of the battle of the Coleta, as it appeared just after one of those attempts to charge in the evening, is thus given by an eye-witness: "The scene was now dreadful to behold. Killed and maimed men and horses were strewn over the plain; the wounded were rending the air with their distressing moans; while a great number of horses without riders were rushing to and fro back upon the enemy's lines, increasing the confusion among them: they thus became so entangled, the one with the other, that their retreat resembled the headlong flight of a herd of buffaloes, rather than the retreat of a well-drilled, regular army, as they were."

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* Such were the statements made to Captain Shackleford by his lieutenant, Francis, and Joseph Fenner, a private of his company, who were with Horton. "I candidly believe," says the captain, "even with the whole of his force, he never could have cut his way through such an immense number of Mexican cavalry."

The enemy took position for the night in the skirt of woods in front. The Texans were occupied in forming a breastwork of earth, carts, wagons, and packs. "It has been often asked," says Captain Shackleford, "as a matter of surprise, why we did not retreat in the night. A few reasons, I think, ought to satisfy every candid man on this point. During the engagement, our teams had all been killed, wounded, or had strayed off; so that we had no possible way of taking off our wounded companions. Those who could have deserted them under such circumstances, possess feelings which I shall never envy. I will mention another reason, which may have more weight with some persons than the one already given. We had been contending for five hours, without intermission, with a force more than seven times larger than our own;* had driven the enemy from the field with great slaughter; and calculated on a reinforcement from Victoria in the morning, when we expected to consummate our victory."

Captain Shackleford does not inform us why they expected aid from Victoria; at all events, none came. On the other hand, the reinforcement sent to the enemy from Bexar, consisting of five hundred men under Colonel Morales, with three pieces of artillery, and of which Urrea had received notice on the 18th, arrived in the Mexican camp at half-past six on the morning of the 20th. Early on that morning, Urrea displayed his whole force in the most imposing manner, together with his pack-mules and artillery. The fire of the latter commenced, but without effect. They kept out of the range of the Texan riflemen, who reserved their fire for close quarters. After the Mexicans had discharged a few rounds, they raised a white flag, but it was soon taken down. The Texan wounded had "suffered agonies for want of water." Their officers held a consultation, and it was the opinion of a majority that they could not save the wounded without a capitulation. The unexpected appearance of artillery in the ranks of the enemy likewise conduced to this conclusion, for the Texan breastwork was only intended to resist small-arms.

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* It is probable that the enemy's strength was over-estimated in the battle of Coleta. This was the last action in which Urrea was engaged in Texas. On the 24th of April his force, including the troops sent to him under the command of Colonel Juan Morales, was only eleven hundred and sixty-five. If to these we add the detachments by him left at Copano, sixty; mission of Refugio, five; Goliad, one hundred and seventy-four; Matagorda, one hundred and eighty-nine; and Victoria, forty — the total is sixteen hundred and thirty-three. Making allowance for the slain of the enemy at the Coleta, and the wounded in that and previous engagements who had recovered, it is probable that his force did not exceed seventeen hundred, or at farthest eighteen hundred, at the battle of Coleta. — *Filisola's Defence*, p. 30.

The Texans now raised a white flag, which was promptly answered by the enemy. Major Wallace and Captain Chadwick went out, and in a short time returned and reported that General Urrea would treat *only* with the commanding officer. Colonel Fannin, though lame, went out, assuring his men that he would make no other than an honorable capitulation. He returned in a short time, and communicated the terms of the agreement which he had made with Urrea. They were in substance as follows: —

1. That the Texans should be received and treated as prisoners-of-war, according to the usages of the most civilized nations. 2. That private property should be respected and restored; but that the side-arms of the officers should be given up. 3. That the men should be sent to Copano, and thence, in eight days, to the United States, or so soon thereafter as vessels could be procured to take them. 4. That the officers should be paroled, and returned to the United States in like

manner.* General Urrea immediately sent Colonel Holzinger and other officers to consummate the agreement. It was reduced to writing in both the English and Spanish languages, read over two or three times, signed, and the writings exchanged in "the most formal and solemn manner."†

The Texans immediately piled their arms, and such of them as were able to march were hurried off to Goliad, where they arrived at sunset on the same day (the 20th). The wounded, among whom was Colonel Fannin, did not reach the place till the 22d. At Goliad the prisoners were crowded into the old church, with no other food than a scanty pittance of beef, without bread or salt. Colonel Fannin was placed under the care of Colonel Holzinger, a German engineer in the Mexican service. So soon as Fannin learned how badly his men were treated, he wrote to General Urrea, stating the facts, and reminding him of the terms of the capitulation.

On the 23d, Colonel Fannin and Colonel Holzinger proceeded to Copano, to ascertain if a vessel could be procured to convey the Texans to the United States; but the vessel they expected to obtain had already left that port. They did not return till the 26th. On the 23d, Major Miller, with eighty Texan volunteers, who had just landed at Copano, were taken prisoners and brought into Goliad by Colonel Vara. Again, on the 25th, Colonel Ward and his men, captured by Urrea, as has already been stated, were brought in.

The evening of the 26th passed off pleasantly enough. Colonel Fannin was entertaining his friends with the prospect of returning to the United States; and some of the young men, who could perform well on the flute, were playing "Home, sweet home." How happy we are that the veil of the future is suspended before us! At seven o'clock that night, an order, brought by an extraordinary courier from Santa Anna, required the prisoners to be shot! Detailed regulations were sent as to the mode of executing this cold-blooded and atrocious order. Colonel Portilla, the commandant of the place, did not long hesitate in its execution. He had four hundred and forty-five prisoners under his charge. Eighty of these, brought from Copano, having just landed, and who as yet had done no fighting, were considered as not within the scope of the order, and for the time were excused. The services of four of the Texan physicians — that is, Drs. Joseph H. Bernard, Field, Hall, and Shackleford — being needed to take care of the Mexican wounded, their lives were spared. So likewise were four others, who were assistants in the hospital.*

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* It is stated somewhat differently by others; but the position, intelligence, and high character, of Dr. Shackleford, induce me to follow his "Notes." See Kennedy, vol. ii., p. 209.

† See Appendix No. IV.

At dawn of day, on Palm Sunday, March 27th, the Texans were awakened by a Mexican officer, who said he wished them to form a line, that they might be counted. The men were marched out in separate divisions, under different pretexts. Some were told that they were to be taken to Copano, in order to be sent home; others that they were going out to slaughter beeves; and others, again, that they were being removed to make room in the fort for Santa Anna. Dr. Shackleford, who had been invited by Colonel Guerrier to his tent, about a hundred yards southeastwardly from the fort, says: "In about half an hour, we heard the report of a volley of small-arms, toward the river, and to the east of the fort. I immediately inquired the cause of the firing, and was assured by the officer that 'he did not know, but supposed it was the guard firing off their guns.' In about fifteen or twenty minutes thereafter, another such volley was fired, directly south of us, and in front.

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* Messrs. Bills, Griffin, Smith, and Skerlock.

At the same time I could distinguish the heads of some of the men through the boughs of some peach-trees, and could hear their screams. It was then, for the first time, the awful conviction seized upon our minds that *treachery* and *murder* had begun their work! Shortly afterward, Colonel Guerrier appeared at the mouth of the tent. I asked him if it could be possible they were murdering our men. He replied that 'it was so but he had not given the order, neither had he executed it.'"

In about an hour more, the wounded were dragged out and butchered. Colonel Fannin was the last to suffer. When informed of his fate, he met it like a soldier. He handed his watch to the officer whose business it was to murder him, and requested him [illegible] have him shot in the *breast* and not in the *head*, and likewise to see that his remains should be decently buried. These natural and proper requirements the officer promised should be fulfilled, but, with that perfidy which is so prominent a characteristic of the Mexican race, he failed to do either! Fannin seated himself in a chair, tied the handkerchief over his eyes, and bared his bosom to receive the fire of the soldiers.

As the different divisions were brought to the place of execution, they were ordered to sit down with their backs to the guard. In one instance, "young Fenner rose on his feet, and exclaimed, 'Boys, they are going to kill us—die with your faces to them, like men!' At the same time, two other young men, flourishing their caps over their heads, shouted at the top of their voices, 'Hurrah for Texas!'"

Many attempted to escape; but the most of those who survived the first fire were cut down by the pursuing cavalry, or afterward shot. It is believed that, in all, twenty-seven of those who were marched out to be slaughtered made their escape; leaving three hundred and thirty who suffered death on that Sunday morning.[*]

The dead were then stripped, and their naked bodies thrown into piles. A few brush were placed over them, and an attempt made to burn them up, but with such poor success, that their hands and feet, and much of their flesh, were left a prey to dogs and vultures! Texas has erected no monument to perpetuate the memory of these heroic victims of a cruel barbarism; yet they have a memorial in the hearts of their countrymen more durable than brass or marble.

Colonel Fannin doubtless erred in postponing for four days the obedience to the order of the commander-in-chief to retreat with all possible despatch to Victoria, on the Guadalupe; and also in sending out Lieutenant-Colonel Ward in search of Captain King. But these errors sprang from the noblest feelings of humanity: first, in an attempt to save from the approaching enemy some Texan settlers at the mission of Refugio; again, in an endeavor to rescue King and his men at the same place; and, finally, to save Ward and his command — until all was lost, but honor.

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[*] Number of prisoners at Goliad, on the 27th of March, according to Portilla

Portilla		445
Major Miller's command	80	
Physicians and attendants	8	
Escaped from the slaughter	27	—115
Number who suffered death		330

Names of those who escaped, according to Dr. Shackleford: —

New Orleans Grays: William L. Hunter, William Brannon, John Reese, David Jones, B. H. Holland.

Huntsville Volunteers: Bennett Butler, Milton Irish.

Mustangs: William Morer, John C. Duval, William Mason, John Holliday John Van Bibber, Charles Spain, ——— Sharpe.

Burke's Company: Herman Eremby, Thomas Kemp, N. J. Devany.

Horton's Company: Daniel Martindale, William Hadden, Charles Smith.

Red Rovers: Isaac D. Hamilton, D. Cooper, L. M. Brooks, William Simpson.

Company not recollected: N. Hosen, William Murphy, John Williams.

Foote, vol. ii., p. 244.

The "public vengeance" of the Mexican tyrant, however, was satisfied. Deliberately and in cold blood he had caused three hundred and thirty of the sternest friends of Texas—her friends while living and dying—to tread the winepress for her redemption. He chose the Lord's day for this sacrifice. It was accepted; and God waited his own good time for retribution—a retribution which brought Santa Anna a trembling coward to the feet of the Texan victors, whose magnanimity prolonged his miserable life to waste the land of his birth with anarchy and civil war!

CHAPTER IV.

SANTA ANNA, having received intelligence of the capture of Fannin and his command, was still more confirmed in the idea that the war in Texas was ended, and in his determination to depart for the capital. With this view, he ordered General Urrea to scour all the country between Victoria and Galveston, his left wing to be sustained by the command under General Sesma. On the 24th of March, General Gaona set out for Nacogdoches with the two battalions, two four-pounders, twenty frontier dragoons, and fifty convicts, set apart for his command, the whole amounting to seven hundred and twenty-five men. These several commanders had strict orders to shoot all the prisoners taken![*]

As the dictator considered his army unnecessarily large to complete what remained to be done in Texas, he ordered that the brigade of cavalry commanded by Colonel Juan José Andrade—the property belonging to the battalions of Guerrero, Matamoras, and Ximines, to the regular militia of Queretaro, and to the first battalion of Mexico—also the artillery which existed in the general quarters and that had been brought from Mexico, and likewise the thirty-two hired wagons—should be got ready to leave on the first of April for San Luis Potosi. As for himself, he proposed to set out immediately—going by sea from Copano or Matagorda to Tampico, and thence by land to San Luis Potosi.

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[*] Filisola's Defence, p. 9.

General Filisola, on whom the chief command would now devolve, looking around at his approaching responsibility, discovered that no impression had as yet been made upon the colonists; and that those already conquered, at so great a cost, were mostly volunteers only, but lately arrived in the country, while the main body of Texans was still intact. As the measures of Santa Anna did not accord with the views of Filisola, the latter took frequent occasion to intimate his opinions as to future operations. His suggestions, however, had no effect; but knowing that Santa Anna paid great respect to any representation of Colonel Almonté, he went in search of that officer; and, with the map of Texas before them, he observed to Almonté that, after leaving garrisons at Bexar, Goliad, and Copano, the remaining forces should keep together until they had beaten the main body of the Texans. This advice, accompanied by a timely letter from General Sesma, dated from the right bank of the Colorado, on the 15th of March, induced Santa Anna to suspend the return of the cavalry to Mexico, and to direct General Sesma, by an order, dated the 25th of March, to change his course, after crossing the Colorado at Bastrop, to San Felipe. He also commanded General Urrea to pass the Colorado at Matagorda, and march to Brasoria—thus concluding to concentrate his forces, and to finish in person the few remaining military operations necessary to the reduction of Texas. On the 29th of March, two battalions, with five pieces of artillery, and a month's rations, under the command of Colonel Amat, set out from Bexar for Gonzales; and, on the 31st, Santa Anna and his staff, with General Filisola, departed on the same road.*

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* Filisola's Defence, pp. 10, 11.

To return to the Texans. General Houston arrived at Gonzales, at four o'clock in the afternoon, on the 11th of March.* Previous thereto, Colonels Burleson and Neill had been using the most earnest and patriotic efforts to raise a force for the relief of Travis.† It was Houston's intention to combine the forces of Fannin and Neill, and march to the aid of Travis; and he so ordered on the 9th, in advance of his arrival at Gonzales.‡ The news received there of the fall of the Alamo, changed his purpose, and he therefore despatched the order to Colonel Fannin to retreat to Victoria, sending one third of his troops to Gonzales.

On the 12th of March, in pursuance of orders, Colonel Neill made a report of the number of troops at Gonzales, and they were found to amount in all to three hundred and seventy-four effective men.[*] They had not two days' provisions; many were without arms, and others destitute of ammunition.[†] To remedy these defects as far as possible, and place the troops in a state of organization, orders were issued for an election of field-officers of the volunteers on the 13th, and requiring all volunteers who should come into camp to attach themselves to some company. A camp was formed on the east bank of the Guadalupe, and the organization extended to the lowest division of the company. At the same time, Captain Larrison was despatched to Victoria for fifty kegs of lead and one thousand pounds of powder, for the use of the army.[‡]

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* Appendix No. I.—Document No. 21.

† It is proper to state that Captain John W. Smith, after conducting the thirty-two Texans from Gonzales to the Alamo, returned on the 4th of March, and started again on the 7th with fifty more from the same point; but it was too late.—*Smith to the President of the Convention, March* 7, 1836.

‡ I find, in the handwriting of Colonel G. W. Hockley, a memorandum dated "Burnham's, Colorado, March 9, 1836," as follows: "This day a letter was forwarded by return express from this place to Colonel J. C. Neill, commanding at Gonzales, ordering the original to be forwarded to Colonel Fannin, commanding at Goliad, and a copy to be kept, as follows: 'Colonel Fannin to march immediately with all his effective force (except one hundred and twenty men, to be left for the protection of his post), to co-operate with the command of Colonel Neill, at some point to be designated by him, to the relief of Colonel Travis, now in the Alamo. Colonel N. to recommend a route to Colonel F. from Goliad to the point of co-operation. Colonel F. to bring two light pieces of artillery, and no more; fifty muskets, with thirty to forty rounds ball-cartridge for each. Both to use immediate despatch—Colonel F. with ten days' provisions.'

"A letter to General Burleson, requesting him to unite with Colonel Neill in recommending the route—forming battalion, or regiment, according to the number of troops at Gonzales."

Colonel Neill, in a letter to Houston, dated Gonzales, March 10, 1836, says: "I have received with great satisfaction your communication of the 9th inst. . . . . I shall forward your communication to Colonel Fannin by express, agreeably to your instructions, giving him due time to concentrate his forces with mine at the time and place I shall designate." Of course, this movement would have been too late.

It was on the night General Houston reached Gonzales, that two Mexicans brought the first news of the fall of the Alamo, and the death of all its defenders. The scene produced in the town by these sad tidings can not be described. At least a dozen women with their children, in that place alone, had thus been left widows and orphans. In fact, there was scarcely a family in the town but had to mourn the loss of one or more of its members. "For four-and-twenty hours," says Captain Handy, "after the news reached us, not a sound was heard, save the wild shrieks of women, and the heart-rending screams of their fatherless children. Little groups of men might be seen in various corners of the town, brooding over the past, and speculating of the future; but they scarcely spoke above a whisper. The public and private grief were alike heavy. It sank deep into the heart of the rudest soldier."[*] To soften as much as possible the unhappy effect of the intelligence, Houston caused the two Mexicans to be arrested and kept under guard, as spies.[†] The fact that Travis had agreed to fire signal-guns, and that none had been heard since the Sunday previous, confirmed the statement made by the Mexicans; yet, in order to ascertain the truth of the matter, Deaf Smith, Henry Karnes, and R. E. Handy, were despatched to Bexar, or as near to that place as they could safely go, to learn the facts, and return in three days.[‡] After proceeding about twenty miles, they met Mrs. Dickinson, with her child, accompanied by Sam, the servant of Travis, and Ben, a free negro, the servant of Almonté. Mrs. Dickinson brought with her a boasting proclamation of Santa Anna, which she had received from the hands of General Sesma, then at the *Cibola*, on his route, with the advance of the enemy, to Gonzales. Mrs. Dickinson having fully confirmed the intelligence brought by the two Mexicans, Karnes, who was mounted on the best horse, returned in haste to Gonzales with the information and the proclamation of Santa Anna, while Smith and Handy remained to escort her to the Texan army.

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[*] "A consolidated report of the troops now under the command of Lieutenant-Colonel J. C. Neill, as received at headquarters, Gonzales, March 12, 1836:—

"Captains, 8; first lieutenants, 8; second lieutenants, 5...... 21
"Quartermaster's sergeant, 1; sergeants, 25; corporals, 13; musicians, 1; privates, 313 353
"Aggregate 374
"Twenty-five of the above as yet unorganized.
"Lieutenant H. S. Stouffer, *Acting Adjutant.*
"J. C. NEILL, *Lieutenant-Colonel of the Regular Army of Texas.*"

[†] Appendix No. I.—Document No. 22.

[‡] Order to R. R. Royall, March 13, 1836.

Captain Karnes reached Gonzales between eight and nine o'clock on the night of the 13th. The intelligence brought by him produced a general panic. Since Santa Anna first approached San Antonio, the American settlers had been removing eastward; and, as he advanced into the country, and developed his bloodthirsty disposition, the emigration became more hasty and universal. At length, with the departure of Sesma from Bexar with his advance of seven hundred and twenty-five men, the emigration became a flight, not of a part, but all —men, women, children, and servants—some carrying with them their goods and stock, others leaving everything. The volunteers in the Texan army, seeing their wives and relatives exposed to the vandalism of the Mexican soldiery, were constantly leaving—some with and some without permission—to look after and conduct to a place of safety those who were so near and dear to them. This was a natural result of their exposed situation. The Texan commander, not having a sufficient force to repel the enemy before he reached the settlements, and being without artillery and munitions, was compelled to fall back. The information brought by Mrs. Dickinson had, moreover, magnified the force under Sesma.

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[*] R. E. Handy to J. J. R. Pease, 1836.

[†] Appendix I.—No. 21.

[‡] Handy to Pease. Houston to Collingsworth, March 13, 1836. Captain Handy is mistaken as to the date.

Having determined on a retreat, General Houston and his forces set out before midnight on the 13th, leaving behind his spies, who were reinforced by some volunteers from Peach creek. It may be stated, as a proof of the poverty of the *materiel* in the Texan army, that, when they set out on their retreat, they had in camp two public wagons, two yoke of oxen, and a few poor horses![*] The flying citizens had carried with them every species of conveyance. The Texan army reached the Navidad on the 14th, where they rested one day, while a guard was sent back for a widow woman and her children, whose residence, being off the road, was passed without knowledge of her. Some of the party who had remained behind at Gonzales conducted the family on to the army, while the three spies before named, and Reese, remained to burn the town. It was set on fire in many places at once, so that the flying inhabitants, looking back, saw the light of their burning dwellings. By early dawn the place was reduced to ashes, and its only inhabitants were the four faithful Texan spies previously mentioned.[*]

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[*] Appendix I.—No. 22.

Houston, having decided to make the Colorado the line of defence, despatched his aide-de-camp, Colonel William T. Austin, to the Brasos for artillery,[†] and marched to Burnham's, on the right bank of the Colorado. He reached this point on the evening of the 17th. His force had by this time increased to six hundred men, including a rear-guard, who were bringing with them some families.[‡]

There had, up to this time, been some twenty who had left the Texan army without permission, and, as they travelled eastward, spread over the country such exaggerated accounts of the large force of the enemy, their unheard-of cruelties, and the small numbers of the Texans, that the panic became universal and overwhelming. The voice of sorrow and despondency that came from the flying inhabitants touched the hearts of the small band who had ventured everything in this last effort for life and liberty. It did more—it prevented volunteers from coming from the east. The panic, as it travelled in that direction, had greatly increased. Citizens east of the Neches believed their danger more imminent than those west of the Trinity. Hence, able-bodied men were retained to defend families and neighborhoods. To add to the terror and distress, particularly in eastern Texas, there were some bad men who spread false alarms for the sake of plunder. It was understood, and perhaps with some truth, that all Americans, whether combatants or not, were to be driven from the country, and that the women brought by Santa Anna with his army were to join his soldiers in forming the advance of a Mexican population that was to occupy the province.

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[*] Handy to Pease.

[†] "ARMY ORDERS.—Major William T. Austin is hereby appointed volunteer aide-de-camp to the commander-in-chief of the army of Texas; and will proceed immediately to the mouth of the Rio Brasos (or such point as the stores of the army may be), and make a requisition upon Colonel John A. Wharton for seven pieces of artillery, say six and nine pounders—six of the former and one of the latter calibre—and an abundant supply of grape and canister shot; and forward the same to headquarters on the Colorado river, near Burnham's. . . . Major Austin will obey this order with all possible despatch, and report to the commander-in-chief.

"CAMP ON LAVACA, *March* 15, 1836."

[‡] Appendix I.—No 28.

"It pains my heart," says the commander-in-chief, writing to the chairman of the military committee—"it pains my heart that such consternation should have been spread by the few deserters from camp. . . . Our own people, if they would act, are enough to expel every Mexican from Texas. Do let it be known that, on close examination, and upon reflection, the force of Santa Anna has been greatly overrated. . . . If you can, by any means, soothe the people, and get them to remain, they shall have notice, if I deem it necessary. Let them entertain no fears for the present. We can raise three thousand men in Texas, and fifteen hundred can defeat all that Santa Anna can send to the Colorado."*

The Texan army remained two days at Burnham's, waiting for the families to pass safely over, when it also crossed to the left bank, and, marching down the river, took position opposite Beason's. Here they remained until the 26th, awaiting the arrival of artillery and reinforcements. It is true that most of the reports made of the advancing force of the enemy overrated their numbers. The first body, under Sesma and Woll, was seven hundred and twenty-five; the second, under General Tolsa, which probably reached the Colorado about the time the Texans took position opposite Beason's, numbered some six hundred—making an aggregate of thirteen hundred and twenty-five, of which ninety were cavalry, with two six-pounders. Yet it was understood in the Texan camp that they had at least twice that number on the right bank of the river, with heavy reinforcements coming up. At all events, without artillery and ammunition, it would not have been prudent to hazard a battle when there was so much at stake. Such was the view taken of the matter by the commander-in-chief, and he was fully supported by the convention. "It is deemed useless," says the president of that body, in his letter of the 16th of March, "to suggest to you the importance of giving all possible information, in various directions around you through the country, of the movements of the enemy, and to retard his progress as far as practicable without hazarding a battle, without a tolerable certainty of victory. But annoy him in situations which will admit of it, so as to save your men until a force can collect to enable you to make a successful attack upon him."

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* Appendix I.—No. 23.

The troops that were expected from eastern Texas did not come. As early as the 5th of March, General Houston had despatched Major John Forbes, of his staff, to Velasco, to act with Colonel John A. Wharton, the adjutant-general, in forwarding troops and munitions-of-war to the army, directing that supplies and munitions should be sent no farther south than Dimitt's landing.*

Colonel William T. Austin, in pursuance of orders, proceeded directly to Brasoria, and applied to Colonel Wharton for the required artillery and grape and canister. That officer was then on his way to the army with one hundred and fifty troops from Velasco, and informed Colonel Austin that he had already sent all the guns suitable for field-service, consisting of two six-pounders and one mortar, with shot and shells, to Bell's landing, and would take them to the army. At the same time the adjutant-general sent Colonel Austin to Velasco, to forward munitions and stores to Bell's landing.* Previous to leaving Burnham's, orders were despatched to all points west of the Colorado, directing that families should be in readiness to move east of that stream, and that stock of all kinds should be driven over it.

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* Order to Forbes, March 5, 1836.

The government *ad interim*, on entering upon the discharge of its functions on the 17th of March, exerted itself to increase the force under the Texan flag. President Burnet issued a strong appeal to the people east of the Brasos, expressing grief and surprise that, under the influence of idle rumors, they were leaving their homes, and, by the circulation of false news, preventing others from repairing to the standard of their country, where alone their homes and families were to be defended.† At the same time a resolution was taken to remove the seat of government to Harrisburg. Agents were likewise sent eastward to quiet the public mind, and two thirds of the militia were called into service.‡ Colonel Rusk, the secretary of war, was untiring in his efforts to forward supplies of all kinds. At the ferry at Washington he stationed an officer, with orders to let no man pass eastward who had a rifle, and to take by impressment and forward to the army all the powder, lead, and horses, he could.‖ These were strong measures, but such as the times required.

On the 20th of March, Captain Karnes, with five men, met with and defeated a party of twelve Mexicans at Rocky creek, twelve miles west of Beason's, killing one, taking another prisoner, and capturing three horses.* In addition to the protection of the crossing at Beason's, forces were stationed above at Mosely's, and at the *Atasco sito* crossing below. The force at Mosely's captured and sent to headquarters, on the 23d, three more of the enemy. From a separate examination of these prisoners, it was ascertained that the main body of the troops under Sesma were near the west bank of the river. The Texan force was at this time over seven hundred strong, in high spirits, under strict discipline, and anxious to meet the foe. The enemy had taken his position on the west bank of the river, on an elevation near the Robertson crossing, about two miles above Beason's. At that crossing the river was fordable; and the Texan commander placed there a detachment of about one hundred and fifty men under Lieutenant-Colonel Sherman and Captain Patton, aide-de-camp. This force was intended as a guard to the ford, and also as an ambuscade, should the Mexicans endeavor to pass the river. They did make an attempt to send over fifty of their cavalry, but one of the guard having indiscreetly fired at them as they were going into the water, they retreated, and made no further attempt at that point.

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* Letter of William T. Austin, April 15, 1842; order of John A. Wharton to William T. Austin, March 18, 1836.

† Proclamation of the 18th of March, 1836. Extract of a letter from Captain John W. Smith, dated San Felipe, March 18, 1836: "I find many wagons and carts with lone families, and three or four men with them, and many of them single men. If possible, an arrangement should be made, and the committees of safety or some other authority should stop and compel to return to the army all persons not having a passport."

‡ Rusk to Houston, March 19, 1836.

‖ Ib., March 20, 1836.

With a view to meet the enemy, Captain Karnes was sent over the river with one hundred and fifty troops, fifty of whom were mounted, with orders to station the foot in a ravine parallel to the route to the Mexican camp; then to proceed with the mounted force, to draw out the enemy, and retreat. The orders were obeyed: the Mexicans fired a discharge of grape at the Texan cavalry, but did not advance. Karnes, not deeming it prudent to march nearer against so large a force, recrossed the river without effecting anything.

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* Appendix I. — No. 25.

It was the intention of the Texan commander to cross over at Beason's on the night of the 27th of March with all his force except a camp-guard, and attack the enemy on the south and east of his camp. But, on the evening of the 25th, Peter Kerr brought the disastrous though not altogether unexpected news of the defeat and surrender of Fannin and his command at the Coleta, and the capitulation of Ward and his forces near Dimitt's landing. This intelligence was most unfortunate, and produced a chilling effect upon the army. To allay in some degree its effects, Kerr was arrested and placed under guard, as a publisher of false news, and a spy. This, together with the fact that the artillery expected had not arrived; that the check already given to Sesma had doubtless induced him to send for reinforcements; that the defeat of Fannin would leave Urrea at liberty to come to the relief of Sesma; that the defeat of the advance under the latter would serve only to concentrate the Mexican army, which, with its various corps thus united, could overrun Texas in spite of the force then in the field to resist it—these considerations induced the Texan commander to retreat, hoping for a more favorable occasion to decide the fortunes of the infant republic in a battle. It was his policy to keep the enemy divided, and, when the blow was given, to strike at a vital part. The small army under his command was the last hope of Texas, and the prize too important to be hazarded without a certainty of success.

In announcing this retreat to the government, General Houston says: "I held no councils of war. If I err, the blame is mine."* That reinforcements would arrive, he had every reason to expect. The government, having reached Harrisburg on the 22d, informed him the next day that "orders were in execution for the mustering into service of two thirds of the militia of the country. "These," said the secretary of war, "with the aid from the United States, will, if you can hold the enemy in check long enough for their concentration, present an insurmountable barrier to the progress of the enemy into the country."—"One great object should be," observes the secretary of war, in a letter of the same date, "to hold him in check until reinforcements and supplies can reach you. Every means has been put into requisition for the purpose of forwarding on both."

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* Appendix I.—No. 30.

On the evening of the 26th, the army commenced the retreat in good order. It was, however, a subject of regret that the houses of Messrs. Burnham and Dewees, on the left bank of the Colorado, were burnt by the Texan picket-guard, on the approach of the enemy. The Texan forces, after a march of five miles, halted for the night at a lake in the prairie. As they left the woods skirting the Colorado, they were reinforced by the three companies of Captains Amasa Turner, William S. Fisher, and Richard Roman, under the command of Major John Forbes of the staff, who, after untiring exertions, and the cheerful aid of the people on the route, had succeeded in conducting them safely from the mouth of the Brasos. Never was a reinforcement more welcome. The companies, however, were small, the aggregate being only one hundred and thirty men. On the 27th, the army resumed its march, and reached the timbers of the Brasos; and, on the 28th, it arrived at San Felipe, on the west bank of that river.

To provide for the protection of the new line of defence, Colonel Edward Harcourt was ordered to proceed to Velasco, or some eligible position on the coast or below Columbia, and fortify it, having placed at his disposal such resources as he could find there. Captain Mosely Baker was directed to take post with his command on the east bank of the Brasos, opposite San Felipe, and obstruct the passage of the enemy. All troops coming from below were ordered to fall back to the Brasos;[*] at the same time, Colonel A. Huston was directed to remove the public stores from Coxe's point to Galveston bay, and Colonel J. Morgan to defend the island.[†]

At San Felipe some discontent arose as to the future movements of the army, some wishing to march below and others up the river. The commander-in-chief proceeded up the Brasos, and, crossing Mill creek, encamped. The rains had set in, and the roads became exceedingly bad, and marching toilsome to the troops. It rained all night. The soldiers, having but few tents or coverings, suffered severely. The commander-in-chief spent the night sitting on his saddle, with a blanket over him, and his feet on a piece of wood.[‡]

On the evening of the 31st of March, after a most fatiguing march, the Texans reached the Brasos timber opposite Groce's. Here they encamped in a secure position, having excellent water in a lake immediately in advance of them, and within three fourths of a mile of the timber. The steamboat "Yellowstone," Captain Ross, then at Groce's ferry, and nearly loaded with cotton, was pressed into the public service, and was afterward found to be almost indispensable. On the 31st, the soldiers buried the only one of their comrades who died a natural death during the campaign. After remaining a day at this point, the army marched into the Brasos "bottom," nearer the river, where it remained until the 13th of April. The river having overflowed its banks, the water surrounded them, and left them on an island.

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[*] Orders to Harcourt and Baker, March 28, 1836. Letter of Captain M. W. Smith, March 28, 1836. In pursuance of the last-named order, Captain Smith took post at Thompson's ferry, at Fort Bend.

[†] Rusk to Houston, March 28, 1836.

[‡] With few exceptions, neither officers nor men had any tents during that severe campaign. Houston's baggage consisted of a pair of saddle-wallets, carried by his servant, and containing his official papers and a change of linen. As to a military chest, the army had none at all. The only moneys used by the general during the campaign were two hundred dollars of his own private funds. As an incident of those times, while the army was crossing the Colorado, a woman was found sitting with another female on a log near the river. Her husband had fallen in the Alamo; she had no resources, no protector, or means of conveyance. Houston, learning her condition, furnished her out of his slender means fifty dollars. He saw no more of her. In after-years, when Texas had become a state of the American Union, she wrote to him, stating that she had laid out his donation in the purchase of cattle, the increase of which had made her family independent.

On the 2d of April, Colonel Zavala joined the camp, bringing information that a visit might soon be expected from Colonel Rusk, the secretary of war. About the same time, eighty volunteers from the Red-river lands arrived. Houston was occupied for some days in reorganizing his army, and restoring it to that discipline and round of camp-duty which had been somewhat neglected during the retreat from the Colorado. At San Felipe, on the 29th of March, on the supposed approach of the Mexicans, the citizens fired the town, and burnt it to ashes. This, though without orders, was only anticipating the enemy.*

While the Texan army was lying in the Brasos bottom, Houston, through the spies, learned the movements of the enemy. A more efficient corps of spies was never attached to any army. They hung about the enemy's camp, and watched all his movements.† Yet it is somewhat remarkable that the

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* Appendix I.—No. 36.

† Deaf Smith went out one day, early in April, in search of the enemy. His sight had become dim, and, for better observation, he took with him young Chenowith. The Mexicans had collected a large number of cattle, and sent them on in advance of their army, in the direction of San Felipe. The spies came in sight of them, and Smith, relying upon Chenowith's eyes, returned and reported a large number of the enemy as an advanced guard. This produced quite an excitement in the Texan camp, until the arrival of "Jim Wells," who, having better eyes and less fancy, reported them truly. Deaf Smith was much hurt, and declared that Chenowith should go with him no more. As a spy, Smith was inimitable. He rode a good horse, and had the faith to believe that no other steed could keep up with him. But, if overtaken, he would turn and fight, and with a coolness, courage, and judgment, that were irresistible.

Texans did not certainly ascertain, until the night of the 19th of April, that Santa Anna was with the invading army.

Colonel Rusk, the secretary of war, left Harrisburg on the 1st of April, to join the army. Previous to his departure, he issued a last strong appeal to the people of Texas to march to the defence of the country.* His arrival in camp was most welcome, for he was a safe adviser, and a firm and able friend of Texas in her struggle.

We now return to the operations of the enemy. It will be remembered that Santa Anna had directed a general movement of his forces in the direction of San Felipe. Had he persevered in this combination, it would have been well for him; but past victories, a flying enemy, and an impatience to hear any opinion contrary to his own,† inspired him with a false confidence, which ended only in his ruin. General Sesma succeeded, four days after the retreat of Houston from the Colorado, in transporting a portion of his army across that river. Of this fact he advised Santa Anna, at the same time giving him notice that the river was greatly swollen, and the means of crossing it very scarce. On the 2d of April, Santa Anna arrived at the Guadalupe, which he found likewise very high. He immediately crossed, with his staff and a picket of cavalry, on a raft; and, leaving General Filisola to attend to the passage of the remainder of the army, he hurried on to join General Sesma, at the Colorado. On the 5th of April, he reached the *Atasco sito* crossing of that river. Here he directed General Woll to remain and construct rafts for transporting across the stream the artillery, wagons, and forces, under Filisola, and, with the division under Sesma and Tolsa, proceeded to San Felipe, where he arrived on the 7th of April.‡

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* Address of the Secretary of War, March 31, 1836.

† Filisola's Defence, p. 11.

‡ Ib.

On the 2d of April, Houston sent out Major Patton with a detachment to reconnoitre the enemy. On the 3d, he reinforced Captain Mosely Baker with Captain Kimbrough's command, and directed Captain Baker to require all persons at his camp to enroll themselves as volunteers, and none to leave it without express permission.* These were strong measures, but the emergency was pressing.

About this time, the idea began to prevail, not only in the Texan camp, but with the government at Harrisburg, that the enemy would not cross the Brasos, but would attempt to fall down and get possession of the coast and seaports. To meet this state of things, orders were given through Colonel A. Huston, quartermaster-general, and Colonel W. D. C. Hall, to remove all the stores and munitions from Coxe's point, Matagorda, Velasco, Bell's landing, and Columbia, to the east end of Galveston island. The means of doing this were quite limited, for all the vessels had been engaged by merchants and emigrants who were retiring with their effects.†

The extent of alarm and confusion arising from the flight of the citizens was at this time most distressing. Samuel P. Carson, the secretary of the navy, writing to President Burnet from Liberty, says: "I have issued orders to two different persons—one for Trinity and one for the Neches—to press boats, &c., to aid the people in crossing. The panic has reached this place, and the people are all leaving Trinity from the opposite (west) side, and preparations making by many on this. The river is rising rapidly, and I fear by to-night it will be impassable for any kind of carriage. The 'slues' on this side are belly-deep. There must be three hundred families—

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* Order to William H. Patton, April 2, 1836.—*Army Orders, April* 3, 1836.

† Letter of A. Huston, April 1, 1836. Letter of Captain J. M. Allen, March 31, 1836.

I know not the number of wagons, carts, carriages, &c. Destruction pervades the whole country. I must speak plainly—the relations existing between us, and the responsibility which rests on us, make it my duty. Never till I reached Trinity have I *desponded*—I will not say, *despaired*. If Houston has retreated, or been whipped, nothing can save the people from *themselves:* their *own* conduct has brought this calamity on them! If Houston retreats, the flying people may be covered in their escape. He must be advised of the state of the waters, and the impossibility of the people crossing."*

At the same time, Captain Morehouse, with a detachment of volunteers and regulars, was conducting a number of families from Matagorda to Columbia. In fact, on every road leading eastward in Texas, were found men, women, and children, moving through the country over swollen streams and muddy roads, strewing the way with their property, crying for aid, and exposed to the fierce *northers* and rains of spring. The scene was distressing indeed; and, being witnessed by the small but faithful army of Texans, whose wives and families they were, thus exposed and suffering, nerved their arms and hearts for the contest then not distant.

It was on the 7th of April that Major Wylie Martin received, through his spies, indirect information that Santa Anna was with the advancing army of the enemy. This intelligence was immediately sent from Martin's camp (on the east bank of the Brasos, opposite Fort Bend) to Houston.† From all the discoveries that could be made through the spies, Houston believed that the enemy had crossed the Brasos below his position, and so expressed himself to Secretary Rusk, suggesting the propriety of crossing likewise.* Colonel Rusk concurred in this view; and the passage accordingly commenced at ten o'clock on the morning of the 12th. The river being very high, the steamboat "Yellowstone" and the yawl were the only means of transporting the army, cattle, and baggage. By one o'clock in the afternoon of the 13th, all was safely landed on the eastern bank, and the troops took position at Groce's.

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* Letter of April 4th. Transmitted to Houston by the acting secretary of war, by order of the president.

† The information was given by a free negro, by the name of Wilson. Martin's letter, April 7, 1836; Almonté's Journal, April 9.

The conclusion that the enemy had crossed the Brasos was correct. Santa Anna, arriving at San Felipe on the 7th, endeavored to pass the river at that point; but he was received with such determined resistance by Captain Mosely Baker and his command, that, after contending for two days, he abandoned the attempt, and set out with four companies of infantry and fifty cavalry in search of another crossing. It was on the evening of the 9th that they left San Felipe. After a march of sixteen miles, they reached the San Bernard a little after midnight, and sent out a scout to reconnoitre the ferry at Fort Bend. The scout having returned, Santa Anna again proceeded on his march, and arrived at nine o'clock, on the night of the 10th, in the neighborhood of Fort Bend. At two o'clock on the following morning, the Mexicans set out again, all on foot—leaving their cavalry and baggage behind—to surprise the guard at the river before daylight; but, mistaking the distance, the early dawn found them a mile from the river. Thus frustrated, Santa Anna placed his men in ambush.

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* The following order shows that the enemy's arrival at San Felipe was immediately known in the Texan camp:—

"HEADQUARTERS OF THE ARMY, CAMP WEST OF BRASOS, *April* 7, 1836.

"ARMY ORDERS.—The advance of the enemy is at San Felipe. The moment, for which we have waited with anxiety and interest, is fast approaching. The victims of the Alamo, and the manes of those who were murdered at Goliad, call for *cool, deliberate* vengeance. Strict discipline, order, and subordination, will insure us the victory.

"The army will be in readiness for action at a moment's warning. The field-officers have the immediate execution of this order in charge for their respective commands.

"SAM HOUSTON, *Commander-in-Chief.*

GEORGE W. HOCKLEY, *Inspector-General.*"

On the 12th, shortly after sunrise, the enemy appeared in force opposite the camp of Major Wylie Martin, at Thompson's ferry. They opened a heavy fire on the small force of forty-six men on the east bank, which continued until the afternoon. Very early on the 12th, Martin had sent three men to Morton's crossing, to sink a small boat which had been left for the use of five families there. Before they arrived, a negro had taken the boat and crossed over to the western bank. The negro, was captured by the enemy, and conducted them to the boat. A sufficient number of Mexicans having passed over to disperse the families there, did so after a short contest. Major Martin, hearing the firing, despatched Lieutenant Jones with ten men to learn the cause. By the time they reached there, one hundred and fifty of the enemy had effected a crossing. Thus Major Martin, being overpowered, retreated toward the main army.* Having possession of the ferry, Santa Anna sent an express to Sesma to advance to that point.

Houston had given orders that all the means of crossing along the river should be secured or sunk, and that all the cattle should be driven to the east side; believing that, by thus delaying the Mexicans, they would fall short of provisions. Such, in fact, was the case, as the advance had only half rations of bread. On the 11th of April, the effective force of the Texan army was five hundred and twenty-three men, exclusive of detachments at the different crossings. When it was ascertained that the enemy had passed the river, orders were immediately sent to all these detachments to concentrate at Donoho's, three miles from Groce's, on the 16th. It was at Donoho's that the road from Groce's to Harrisburg crossed that from San Felipe to eastern Texas.

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* Report of Major Martin, April 18, 1836. The Mexican account of this affair is somewhat different. In fact, as the small boat was concealed above Morton's ferry, there is little doubt but, as Almonté states, some of the enemy crossed in it, and slept on the left bank of the river on the 11th, without being discovered. When the enemy reached San Felipe, Almonté rode up in advance, and called out to the Texans on the east side, "Bring over that boat — the Mexicans are coming!" This was said in good English; and the enemy cannonaded Baker's breastworks for some time, but still did not get the boat. — *Memoranda of Rev. A. J. M'Gown.* It was a successful *ruse* on the part of the Mexicans to keep up a firing at Thompson's ferry, while they were crossing at Morton's, three miles distant.

Affairs had now reached a crisis, as was obvious to all. That a conflict would soon occur was devoutly desired, perhaps by the enemy as well as the Texans. Santa Anna, having crossed the Brasos at Fort Bend, proceeded, on the 14th of April, with a force amounting to a little over seven hundred men, and one twelve-pounder, on the road to Harrisburg,* where he arrived on the 15th.†

On the day that Santa Anna reached Harrisburg, his army was sufficiently scattered for its destruction in detail. Urrea was at Matagorda, with some twelve hundred men; Gaona lost in the country between Bastrop and San Felipe, with seven hundred and twenty-five; Sesma at Fort Bend, with about one thousand; and Filisola between San Felipe and Fort Bend, with nearly eighteen hundred more. These, with the exception of the troops stationed in Bexar, Goliad, Copano, Matagorda, &c., constituted the force of the enemy in Texas—numbering originally about seven thousand five hundred men, but reduced by killed and disabled to some five thousand five hundred.

When information was received of the enemy having crossed the Brasos, it was not known but they would advance on the road from San Felipe to eastern Texas;* hence the concentration of the Texan force at Donoho's.

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* Filisola's Defence, p. 11.

† Almonté's Journal. Filisola says on the 16th; but as Almonté was with Santa Anna, and kept a diary, he ought to know.

As the Texans were crossing the Brasos, they were reinforced by two six-pounders, known as the "*Twin-Sisters.*" These notable pieces of artillery, for the good they did in the cause of Texan independence, deserve some further notice. A meeting was held in Cincinnati, Ohio, in 1835, for the purpose of aiding Texas in her struggle. On the suggestion of Robert F. Lyttle, it was concluded to furnish these two pieces of "hollow ware." A committee was chosen to carry out the resolution; and through the instrumentality of William M. Corry, Willis Tatan, Pulaski Smith, David Bolles, and others, the cannon were manufactured, mounted, supplied with shot at the foundry of Messrs. Greenwood and Webb, and despatched to New Orleans; thence, by the Texan agents, to Brasoria. To this point General Houston sent twice for them; but the want of means for transportation, the wretched condition of the roads, and ultimately the proximity of the enemy, made it hazardous to forward them by that route. They were then shipped by Colonel A. Huston, the quartermaster-general, on board the schooner "Pennsylvania" to Galveston island, and thence to Harrisburg. At this place, horses were pressed to haul them, and they were started on the 9th of April, under care of Captain Smith, to the army.† They were placed in charge of Colonel Hockley, who kept them in efficient order. Texas will never cease to be grateful to Cincinnati for that valuable present.

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* "FORT BEND, *April* 8, 1836.

"This very moment two men arrived from toward San Felipe, who say the enemy must be, by this time, in that town, in full force. They state that one division of the enemy has passed above, pointing the head of their column for Nacogdoches; the other column below, aiming for Matagorda."—*Major Wylie Martin to General Houston.*

† Letter of A. Huston, April 1, 1836. Letter of David Thomas, acting secretary of war, April 10, 1836. Letter of Elijah Slack, March 23, 1854. Captain Smith was a brother-in-law of Colonel Rusk. It is said the *Twin-Sisters* are now at Baton Rouge, in the service of the United States. Texas ought to have them, and could doubtless obtain them by asking.

It is proper here to state, in order to bring up the current of events in this busy period of Texan history, that the authorities had managed, through the kindness of good friends, to pick up a small navy of three vessels, viz.: the *Invincible*, Captain L. Brown; the *Brutus*, Captain Hurd; and the *Independence*, Captain Hawkins. These vessels were not idle, but were of infinite service to Texas in preventing the enemy from receiving supplies. In the first days of April the *Invincible* sailed on a cruise off Brasos Santiago, and fell in with the *Montezuma*, Captain Thompson. After a fight of two hours, the Mexican vessel was driven on shore, and left in a sinking condition. After repairing his rigging (the only injury he received), Captain Brown stood out from the harbor, and fell in with the brig *Pocket*, from New Orleans to Matamoras, freighted with flour, lard, rice, and biscuit, for the Mexican army, under contract with a house in the former city. The *Pocket* was brought into Galveston. From letters found on board, it was ascertained that Santa Anna's object was to secure the seaports, and place a thousand men on Galveston island.* All this information was communicated to Houston about the time he crossed the Brasos river. This intelligence, and the near approach of the enemy, determined the government to fortify Galveston island. For this purpose, several pieces of artillery were brought from the seaports south; and the *Independence* was detained in the bay to aid in commencing the work. The citizens there volunteered their assistance, and placed themselves under the command of Colonel Morgan.

The acting secretary of war, in his letter to the commander-in-chief of the 12th of April, after referring to the fact that the enemy had crossed the Brasos at Fort Bend, says: "There is nothing to stop his march to this place [Harrisburg], or Galveston, in twenty-four hours. There are a number of families here and in the neighborhood, who came here under the belief that they would be safe, who are now exposed to the attack of the enemy. You have assured the government that the enemy should never cross the Brasos: they have relied on your assurance, but they find your pledges not verified, and numberless families exposed to the ravages of the enemy. The country expects something from you; the government looks to you for action. The time has now arrived to determine whether we are to give up the country, and make the best of our way out of it, or to meet the enemy, and make at least one struggle for our boasted independence. The government does not intend to control your movements; but it is expected that, without delay, you will take measures to check those of the enemy."

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* Letters of David Thomas, acting Secretary of War, April 7 and 8, 1836.

This letter was received by the commander-in-chief on the 13th, at a moment when he was pressed by business, and making his arrangements for offensive operations. He, however, considered the taunts and suggestions in the secretary's letter as gratuitous, because he was harassed with difficulties which the government could not appreciate. His answer, under the circumstances, was mild,* and went into a summary of past events. There was hardly a time during the campaign when the enemy's force was not ten times as great as his own—a well-appointed army, composed mostly of veteran troops, supplied with artillery, arms, and munitions, and commanded by a general who, up to that period, had never known defeat. The Texan army, on the contrary, was a hasty collection of farmers, paid and fed upon promises, poorly armed, and with

* Appendix I.—No. 42.

every variety of weapon, and up to that time without a single piece of artillery. Add to this that their wives and children, objects dear to them, were homeless wanderers—flying, without food or shelter, unprotected by the stalwart arm of their natural defenders from the ravages of a barbarous foe—and we must admire the sagacity and address that kept so many of them together so long. Half a generation has passed away since that campaign, and a thinking world, which in the end always comes to a just conclusion, has stamped its progress and termination as heroic.

Complaints have been made of the apathy of eastern Texas, as though the people of that section did not love their country as well as those of the west. We should first look at their condition, and have the same understanding of affairs that they did, before we condemn. It was known to them that General Gaona, with a well-appointed division of the Mexican army, was on his way to Nacogdoches, with orders from Santa Anna to shoot all who were taken with arms in their hands, and to drive the others out of the country. His route lay along the frontiers, passing the Trinity at the upper or Camanche crossing.* The order directing him to change his course to San Felipe was unknown to the Texans. The country through which he marched was thronged with Indians, already stirred up by the emissaries of the Mexicans, and naturally disposed to join them; for it is to the credit of the latter that they had ever excelled the Americans in kindness toward the aboriginal tribes. Of their motive for this we need not stop to inquire. The people of eastern Texas, then, felt that their danger was imminent. This apparent danger was increased by the threats and movements of the Indians. To ascertain the facts, the committee of vigilance at Nacogdoches despatched agents to the Indians. C. H. Sims and William Sims, who were sent to the Cherokees, reported them to be hostile, and making preparations for war; that they were drying beef and preparing meal, and said they were about sending off their women and children; that they had murdered Brooks Williams, an American trader among them; that they said a large body of Indians, composed of Caddoes, Keechies, Ionies, Twowokanies, Wacoes, and Camanches, were expected to attack the American settlements; that the Cherokees gave every indication of joining them; that the number of warriors embodied on the Trinity was estimated at seventeen hundred; and that Bolles, the principal Cherokee chief, advised the agents to leave the country, as there was danger. M. B. Menard, who was sent to the Shawanee, Delaware, and Kickapoo tribes, reported that, while these tribes were friendly, they had been visited by Bolles, who urged them to take up arms against the Americans.*

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* In old times, there were three well-known crossings on the Trinity: first, the *upper* crossing, at the present town of Magnolia—the oldest road in Texas; second, the *middle* crossing, at Robbins's ferry, established in 1689, by De Leon; and, third, the *lower* crossing, at Liberty, established in 1805.

With these facts before them, the committee of vigilance and the people of Nacogdoches were ready to credit the rumor that the combined Mexicans and Indians were already within a few miles of the town. On the 9th of April, the *alcalde*, Hoffman, ordered every able-bodied Mexican, within the municipality of Nacogdoches, to take up the line of march to the army within ten days, or to cross the Sabine. The companies of Captains Ratliff, Smith, and Chesher, on their way to the army, were detained, to aid in protecting the place.† Such was the supposed emergency, that horses were pressed into the public service for the use of the civic forces. Judge Quitman, with a few companions, coming into the town, was called upon to give his aid in protecting the families on their way to the Sabine, which he cheerfully agreed to do.*

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* Depositions of William Sims, C. H. Sims, and M. B. Menard, taken before Henry Raguet, chairman of the committee of vigilance, April 11, 1836.

† Order of R. A. Irion, commandant of the municipality, April 14, 1836.

In answer to Houston's strong appeal to the people of eastern Texas to turn out and hasten to his assistance, three companies, commanded by Captains Ratliff, Smith, and Chesher, with an aggregate of two hundred and twenty men, were ready to set out on the march for headquarters as early as the 9th of April; but on account of the supposed pressing danger at Nacogdoches, as previously mentioned, they were detained till the 16th before they marched. In a few days more, a like number were ready to leave. But all this aid was too late. "The citizens of Nacogdoches," says Henry Raguet, chairman of the committee of vigilance, under date of the 17th of April, "were induced to believe, only a few days since, that the enemy in large force was within a few miles of this place. Under this belief, the volunteer companies, commanded by Captains Chesher, Ratliff, and Smith, were detained until yesterday. In addition to the cause above stated, Rumor, with her thousand tongues, had created the belief that the Mexicans of this municipality were embodying themselves for the purpose of attacking the Americans. This committee have taken every means in their power to allay the panic, and, if possible, to bring men to their sober senses. When the committee found themselves in possession of the facts in relation to the disaffection of the Mexicans, they took prompt measures to prevent a rupture, which threatened serious consequences to the welfare and safety of our citizens; and they are happy to state that the difficulty has been most happily terminated."

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* Judge Quitman's letter is as follows:—

"HALF-MILE FROM TOWN.

"*To the Officers in command at Nacogdoches:*

"GENTLEMEN: I am here, with sixteen tolerably well-armed men. We are on a tour of observation only, but ready to assist in the retreat of your women and children. It would be, in my opinion, without any good result to stand against vastly superior numbers in defence of the town. If you will join us with all your armed force, we will aid you in covering the retreat of your families to the Sabine. Let us hear of your determination as soon as possible.

"Respectfully, JOHN A. QUITMAN."

This letter was written about the 12th of April.

Thus the affairs in eastern Texas had disappointed the government as well as the commander-in-chief: for, if the latter had made pledges that were not verified, the government had done the same. The levy of two thirds of the militia never came. The supply of arms, provisions, &c., only reached the Texan army after it had crossed the Brasos. While neither possessed the power of ubiquity and omnipotence, neither could be responsible for matters beyond their control. It is perhaps enough to say—and truth will justify so much—that, under all the circumstances, both parties did what they could for their adopted country. She was poor; her people were poor—and not only so, but deeply distressed. Their affairs were such, and so dark was the cloud hanging over them, that they could not afford merely to *check* the enemy: it was essential that he should be *whipped.* Texas could not survive two battles: the work had to be done in one, and well done.*

Among other difficulties with which Texas had to contend was the presence of a considerable number of persons of no country or sympathy—treacherous to all—who were busily engaged in spreading alarm, and increasing the public confusion. To this list should be added a class of a still worse character, who fattened upon the stolen plunder of the flying inhabitants. Then there were others, in the Mexican interest, who were spies in the Texan ranks. Of these several classes, many arrests were made, and their persons secured until the danger was over. It is not unlikely that some were thus confined who ought not to have been. Among those arrested was Colonel Ellis P. Bean. He had been appointed a member of the committee of vigilance of Nacogdoches, but, as it appears, took no part in their affairs. At the beginning of the war, in the fall of 1835, he had applied to Colonel John Forbes to place him in arrest, the better to enable him to draw his pay as colonel in the Mexican army; but Colonel Forbes declined to do so, unless for some offence. It appears that in April, 1836, some report had come into circulation relative to an alleged correspondence of Bean with the enemy, which induced the secretary of war to order his arrest. As the truth of the report was very questionable, he was ordered into custody, and detained only as a Mexican officer and alien of the republic.[*] But when the enemy retreated, nothing further was heard on the subject.

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* "After the army had crossed the Brasos, the companies below, in pursuance of orders, joined the main body at Donoho's. Houston rode along their lines, and, in a short address, said that 'he had been blamed by some because the Texans were not permitted to meet the enemy; but that, so soon as circumstances would permit it to be done to advantage, we should have it to our satisfaction.' I remember it well, from the fact that there was in the ranks a large man, by the name of Harman, celebrated for his good nature and good humor, who, in answer to this speech, said, 'General, let it be an easy-going fight!'"—*Memoranda of Rev. A. J. M'Gown.*

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[*] Houston's order to D. A. Hoffman, for the arrest of Colonel E. P. Bean, April 13, 1836. There is little doubt but Bean's real feelings were in favor of the Texans. In 1833, while he was commandant at Nacogdoches, he addressed the following letter to Houston:—

"*February* 4, 1833.

"*From the Commander of Nacogdoches:*

"As it appears that it is the wish of the citizens of this country that you should be a member of the committee [the convention of 1833 he refers to], to form this eastern part into a state—formerly governed by Coahuila—I feel myself willing to support you so far as my military orders will permit me to do.

"Your obedient servant, E. P. BEAN.

"General HOUSTON."

CHAPTER V.

As has been stated, Santa Anna, at the head of more than seven hundred men, with a twelve-pounder, reached Harrisburg on the 15th of April. The last communication from the war department at that town was dated on the 14th. The president and vice-president had gone to look after their families on the 13th; Colonel Potter had been for some time at Galveston, attending to the affairs of the navy; Colonel Rusk was in the army; the secretary of state had been some time sick, east of the Trinity: so that the attorney-general and secretary of the treasury were the only cabinet officers left at the seat of government.*

As to his future course, the commander-in-chief had kept his own counsel. He had already notified the army to be in readiness for action; and Colonel Rusk, with whom he advised and consulted in all matters, gave notice, in his proclamation of the 13th of April, that the Texans had taken up the line of march to meet the enemy: yet the determination of the commander-in-chief was only known to the secretary of war. On the morning of the 15th, Major Martin and his command, being worn out and exhausted with fatigue, were directed to conduct the families, that were flying from the seat of war, to Robbins's ferry; while the main army, augmented by the detachments that had come in, set out rapidly for Harrisburg. The prairies were wet, filled with quicksands, and almost impassable. The prospect was gloomy indeed, and the troops were much dispirited; yet they were encouraged in seeing the commander-in-chief put his shoulder to the wheels to assist the wagons through the mud. On that day they marched entirely through the prairie, and encamped at Mrs. M'Carely's, at the first timber. As the army left Donoho's, a negro, who had been captured and then released by the enemy, brought General Houston a message from Santa Anna, to the effect that "he knew Mr. Houston was up there in the bushes; and, so soon as he had whipped the land-thieves, down there, out of the country, he would come up and smoke him out!"

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* David Thomas to Sam Houston, April 14, 1836.

There was at that time a considerable number of disaffected persons on the coast, east of the San Jacinto; and it was an important object with Houston not to allow the Mexicans to have communication with them, as they would thereby obtain supplies of provisions and gain information. They would also, by such means, be enabled to control the Indians on the lower Trinity. With a view to anticipate any intercourse between the enemy and these Indians, Houston had engaged Messrs. Hubert and Rankin, Indian agents, to sound the Cooshatties on the question of giving the Texans aid. They promised to furnish ninety warriors. Just before the army set out for Harrisburg, the commander-in-chief sent Captain Jacob H. Sheppard with a "talk" to the Indians, and an order to the agents to bring on the warriors.* It is sufficient to say here, that the Indians wished to see which side was successful before they turned out. But if the enemy had succeeded in opening an intercourse with the Indians, they might have rallied every tribe in eastern Texas, and thus surrounded and cut off the small army under Houston; and not only so, but closed the Texas campaign with a tragedy more bloody than the one with which it opened.

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* Notes of J. H. Sheppard. Captain Sheppard says: "Just as I was leaving the general's quarters, I said, 'Where will I find you, general?' He said: 'Tell all the people you may see, captain, that I am determined to fight, the first chance; and, if I should meet with a reverse, I will be sure to make noise enough for you and the Indians to follow me.'"

To prevent this disastrous result, a forced march was made by the Texans from Donoho's to Harrisburg. They reached the bayou, opposite the town, on the 18th, a little before noon. Here they remained that day, partly to rest—for they were greatly fatigued—and partly to procure information. Deaf Smith, Karnes, and others, were sent over to reconnoitre. The former, about dark, brought into the camp two captives whom he had taken on the road leading west from Harrisburg—the one a Mexican courier bearing despatches to Santa Anna, the other a guard. From the spies it was ascertained that the Mexican advance had marched down Buffalo bayou, crossing Vince's bridge; and, having burnt Harrisburg, had passed down in the direction of the bay. From the Mexican courier* they obtained the mail directed to Santa Anna, from which they learned the important fact, before suspected, that the dictator himself was with the advance, and that they had him cut off from the main body of his troops. By reference to the topography of that locality, it was seen that he must necessarily return by Vince's bridge, or cross Buffalo bayou, just below the Texan camp, at Lynch's, at the mouth of the San Jacinto. In either way he was cut off from the main body of his army. The Texans derived the further information that Santa Anna was requested, by the government at home, to give protection with his troops to the surveyor and commissioner, appointed on the part of Mexico, to run the boundary-line between Texas and the United States, according to the treaty between the two nations, and for which purpose Colonel Pedro Garcia Condé was appointed surveyor, and Colonel Almonté commissioner.* A letter from General Filisola to Santa Anna gave the information that the chief's order as to the disposition of certain forces was received, and would be obeyed. This was supposed, as afterward proved to be the fact, to refer to reinforcements ordered by Santa Anna.

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* This was a Mexican officer, an extraordinary courier, who had come on from the city of Mexico.—*Juan J. Andrade to Santa Anna, April 9, 1836.*

These despatches being read,† General Houston determined to cross the bayou early on the morning of the 19th, and go in pursuit of the enemy. Orders were consequently given to Colonels Burleson and Sherman to have three days' rations prepared, and like orders for repairing a boat two miles below, on the bayou. The troops were formed on the morning of the 19th, and addressed by the commander-in-chief and the secretary of war. The presence of Santa Anna with the enemy's advance was also made known to them. The baggage and wagons, and two or three hundred sick and non-effectives were left in charge of Major M'Nutt, on the left bank of the bayou. Houston then despatched a letter to Henry Raguet, advising him that they were about to meet Santa Anna; that they had looked in vain for help from eastern Texas; that it was then the part of wisdom, growing out of necessity, to encounter the enemy; that no previous occasion justified it; that they were going to conquer; that the troops were in fine spirits, and, though the odds were against them, they would use their best efforts to fight the enemy to such advantage as to gain the victory.*

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* Monasterio to Santa Anna, March 23, 1836.

† Some explanation of the manner in which Deaf Smith captured and brought in two prisoners, is necessary. It is given as related by the general himself. Smith came in, greatly fatigued, and somewhat exasperated. He repaired to the general's quarters, and said he wished to have a little talk with him. Said he: "General, you are very kind to these Mexicans; I like kindness, but you are too kind — you won't allow me to kill any of them! If a man meets two of the enemy, and is not allowed to kill either, by the time he takes one and ties him, the other gets off so far, that it is very fatiguing on a horse to catch him; and I wish you would let me manage things in my own way." Houston told him not to be cruel, but that he must be his own judge of the necessity of securing such of the enemy as might be taken by him. Smith nodded his head — for he was a man of few words — and retired.

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* Appendix I.—No. 43. Colonel Rusk also sent out the following address, to which the commander-in-chief added a postscript:—

"War Department, Headquarters of the Army, Harrisburg. *April* 19, 1836.

"To the People of Texas—*Fellow-Citizens:* Let me make one more appeal to you to turn out, and rally to the standard of your country. The army reached here yesterday late in the day. Our scouts arrested three of the Mexicans—one captain, one a *corréo* [express-rider], direct from Mexico, and another a servant. From the prisoners we learn many interesting facts. Santa Anna himself is just below us, and within the sound of the drum—has, we understand, only five hundred men. We are parading our forces for the purpose of marching upon him. He has a reinforcement of about one thousand men upon the Brasos, about forty miles from here. A few hours more will decide the fate of our army: and what an astonishing fact it is, that, at the very moment when the fate of your wives, your children, your honors, your country, and all that is dear to a freeman, are suspended upon the issue of one battle, not one fourth of the people [men] of Texas are in the army! Are you Americans? are you freemen? If you are, prove your blood and birth by rallying at once to your country's standard! Your general is at the head of a brave and chivalrous band, and throws himself, sword in hand, into the breach, to save his country, and vindicate her rights. Enthusiasm prevails in the army; but I look around and see that many, very many, whom I had anticipated would be first in the field, are not here.

"Rise up at once, concentrate, and march to the field!—a vigorous effort, and the country is safe! A different course disgraces and ruins you; and what is life worth with the loss of liberty? May I never survive it!

"Your fellow-citizen, Thomas J. Rusk, *Secretary of War.*"

"*April* 19, 1836.

"We view ourselves on the eve of battle. We are nerved for the contest, and must conquer or perish. It is vain to look for present aid: none is at hand. We must now act, or abandon all hope! Rally to the standard, and be no longer the scoff of mercenary tongues! Be men, be freemen, that your children may bless their fathers' names!

"Colonel Rusk is with me, and I am rejoiced at it. The country will be the gainer, and myself the beneficiary. Liberty and our country!

"Sam Houston, *Commander-in-Chief.*"

The above are the last papers written by these gentlemen previous to the battle of the 21st, so far as the writer knows.

The army proceeded on its march, taking only the cavalry-horses, and those needed for the "*Twin-Sisters*" and an ammunition-wagon. The measles having broken out in the camp, caused the large number of sick that were left behind. Advancing to the ferry, they found the boat not repaired, notwithstanding which they proceeded to cross. Thirty pioneers, under Captain Wood, first passed over. The commander-in-chief went with the second boat. Colonel Rusk remained to assist in the crossing, and none labored more ardently to effect that object. A raft of plank was used to facilitate the passage. The horses were caused to swim across the bayou below the ferry. Before sundown the whole force had passed over without accident, and took up the line of march down the right bank of the bayou, and on the enemy's trail.

After advancing twelve miles, the Texans halted at one o'clock on the morning of the 20th, at a beautiful spot in the prairie. At this time they were aware that the Mexicans had not crossed the San Jacinto, but it was not known exactly where they were. In fact, they had passed near the ferry at Lynch's on the 16th. The Texans, being greatly exhausted by incessant labor and marching, threw themselves on the ground without refreshment, and slept.

We must here notice the narrow escape of President Burnet. On the 13th, as has been stated, he left Harrisburg, to provide for the safety of his family. On the same day he brought them to New Washington, below Lynch's, on the bay, with a view to facilitate their passage, if necessary, to Galveston. On the next day the president set out on horseback for Harrisburg; but learning on the way that the Mexicans were there, he returned on the morning of the 16th, in the steamer "Cayuga," to New Washington. It was understood that the boat, which was crowded with families, and bound for Anahuac, was to return the next morning to take off those at New Washington. On the morning of the 17th, after breakfast, and while they were preparing for the steamboat, the Mexican cavalry came suddenly on them. They hastily got into a small boat, and had not rowed more than forty yards from the shore, when the enemy dismounted; but they fortunately made their escape.*

At dawn of day, on the 20th, the Texans were aroused by a tap of the drum—for the *reveillé* was forbidden—and resumed their march down the bayou. After proceeding about seven miles, they halted for breakfast. While it was in preparation, the scouts came in, and announced that they had given chase to those of the enemy, until they discovered his advance coming up the bay. The Texans, without taking breakfast, made a forced march down the bayou, in order to arrive at Lynch's ferry before their opponents. An advance of thirty or forty of the Texans proceeded rapidly to the ferry, where they arrived by ten o'clock in the forenoon, and found a like number of the enemy there, with a substantial new flat-boat,† loaded with provisions for the Mexican army. It was doubtless some of the plunder of Harrisburg or New Washington. The enemy's guard fled at the approach of the Texan advance; the boat and provisions were taken, and sent up the bayou, three fourths of a mile to the rear of the Texan camp, which was established there, along the right bank of the bayou, in a skirt of timber. This supply of provisions was most fortunate, as the Texans had no other during that and the following day.

The Texan camp was protected by the timber, and a rising ground running parallel with the bayou. The camp extended some five hundred yards, and about its centre the skirt of timber reached nearly to the top of the rise in front. On either side of this centre the summit of the elevation was composed of prairie. The infantry, about two hundred, under command of Lieutenant-Colonel Millard, were stationed in this neck of timber, extending toward the top of the rise; and the "*Twin-Sisters*," under Colonel Neill, were placed on the elevation, immediately in front of Millard. The first regiment of riflemen, under Colonel Burleson, formed the right wing; and the second, under Colonel Sherman, composed the left. The cavalry was stationed in the centre, and in rear of the infantry. In front of the centre of the Texan camp, some three or four hundred yards distant, was a cluster of timber; also in front and to the left of the centre, about one hundred yards distant, was another cluster of timber. Elsewhere in front the field was prairie.

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* Letter of Dr. George M. Patrick, March 26, 1838.

† It was said that this boat had been constructed by some recreant Americans for the enemy.

The Texans, having established their camp, formed for battle. While they were doing this, the Mexican artillery (one twelve-pounder), having advanced to the first-named cluster of timber, opened upon them. After firing about an hour, without doing any other damage than wounding Colonel Neill, the enemy sent forward a detachment of infantry, armed with *escopetas*, into the nearest wood. Being discovered there, Colonel Sherman applied for leave to charge on them with the Texan cavalry, in all eighty-five men. Permission was given, and the charge made; but, as the Mexicans were in the wood, nothing was effected, and the cavalry returned without damage.

Shortly after this, a large portion of the enemy's forces advanced rapidly, in column, from the point occupied by their artillery to within a hundred and fifty yards of the Texan cannon: the latter opened on them, when they wheeled and fell back precipitately. This retreat was answered by a shout from the Texan ranks that would have alarmed less timid spirits. The Texans did not pursue them, but the "*Twin-Sisters*" kept up a fire on them till they got out of danger, doing them some damage. The enemy withdrew to a position near the bank of the San Jacinto river (or bayou, for it was below their junction), about three fourths of a mile from the Texan encampment, where they commenced to fortify.

In the evening, about an hour before sunset, Colonel Sherman asked permission of the commander-in-chief to take the cavalry and reconnoitre. The general at first objected, but on reflection consented, ordering him strictly not to go within musket-shot of the enemy, or provoke a conflict, but to advance as near as he otherwise could to ascertain their position: and for this reason—that the precipitate retreat of the enemy after their charge that day had infused the finest feeling into the Texan army, and he was unwilling that any disaster in a partial engagement should disturb that feeling.

The cavalry set out, and continued to advance, receiving a volley from the left of the enemy's infantry, and, after a sharp rencontre with their cavalry, retired. In the meantime, the infantry under Colonel Millard, Colonel Burleson's regiment, and the artillery, had advanced to aid the cavalry, if necessary. In this affair, the Texan cavalry acquitted themselves handsomely; and among the most distinguished of their number was Mirabeau B. Lamar, who, joining the army at Groce's, fell into the ranks, and soon earned an enviable reputation as a soldier.* The Texans had two wounded, one mortally and the other severely; they also lost several horses. The loss of the enemy was doubtless more considerable.†

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* Foote, in his "Texas and the Texans," has given a lively sketch of General Lamar, vol. ii., p. 284.

† Foote, in his account of this affair, has placed Colonel Sherman in the attitude of attempting a *ruse*, by which to bring on a general battle, contrary to

Both armies having retired to their quarters, the evening passed off, and with it the excitement of the day. The Texans, being hungry and fatigued, after eating, obtained a refreshing sleep. The enemy in the meantime completed his breastwork of trunks and baggage. Thursday, the 21st of April, was a clear, fine day. Early in the morning, the Texan commander-in-chief directed Colonel Forbes, the commissary-general, to furnish Deaf Smith with one or more axes, and to have them at a certain place. At the same time, he sent for Smith, and directed him not to go out of the line of sentinels that day without special permission, as he had particular business for him of a secret character.*

About nine o'clock that morning it was discovered that a considerable force, under General Cos, was advancing from the direction of Vince's bridge toward the enemy's camp. As it was seen by the Texans, it was believed to be a reinforcement to Santa Anna. The commander-in-chief, although his spies had brought information of the arrival of the reinforcement, not caring that it should be at that time known, suggested that it was a *ruse* of the Mexicans; that they had marched round from their left wing, and were returning, with a view to make the impression that they were reinforced.†

About noon, or a little before, the commander-in-chief was waited on by several of the officers, suggesting a council of war. He assented to the proposition, and it was informally

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the wishes and orders of the commander-in-chief; and has represented him as getting Colonel Millard to march his command to a ravine, and Captain Poe to keep up his fire on the enemy's cannon, &c., as if he had assumed the command of the army, and the commander-in-chief had become a subordinate! This charge of insubordination and deceit is unworthy of Colonel Sherman.—Vol. ii., p. 298, *et seq.* It was a chief object with Houston to conceal from the enemy the number of his forces, and not to attack him while on the alert.

* Statement of Colonel John Forbes.

† Statement of Colonel George W. Hockley.

held immediately,* consisting of Colonels Burleson and Sherman, Lieutenant-Colonels Millard, Somerville, and Bennett, and Major Wells. The question was laid before them, "Whether they should attack the enemy in his position, or await an attack from him in theirs." The two last-named officers were in favor of an attack on the enemy in his position: the others were in favor of awaiting an attack from him. The reasons given for the latter opinion were—that the Texan camp was admirably situated for defence; that the Mexicans were fortified in their encampment; that it was defended by veterans, well disciplined; and that an attack upon them through an open prairie, with undisciplined militia, armed mostly with rifles, was unprecedented. The council was then dismissed.

Deaf Smith and a companion† whom he had been directed, in the morning, to select, were now sent for, and secretly despatched, with the axes, to cut down Vince's bridge, and burn it—the commander-in-chief saying to Smith, as he departed, that the grass, which he then beheld before him so beautiful in the prairie, would be crimsoned before his return, unless he was speedy.

Bray's bayou runs into Buffalo bayou at Harrisburg, on the right bank. Five miles farther down toward the bay, over Vince's bayou, is Vince's bridge. It was crossed by both armies on their downward march, and was the only passway by land, especially at that season of the year, to the Brasos. After the main body of the Mexican reinforcement under General Cos had passed Bray's bayou, and while the rear-guard was crossing over, the wagoners and some others of the Texan camp-guard near Harrisburg, hearing the noise, paraded under the command of Wagon-master Rhorer, made a forced march to the bayou, and gave them a volley, which so alarmed them, that they turned and fled toward the Brasos, scattering and leaving their baggage on the road. The wagoners thereupon crossed over, and gathered quite a supply.

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* In a sketch of Houston, published at Washington city, by John T. Towers it is stated that this council of war assembled on the grass, under a post-oak tree. The present account of it is mostly taken from a statement made by Colonel Joseph L. Bennett (one of the members of the council), September 17, 1841.

† Understood to be Mr. Reeves.

It is proper to state here, that, so soon as the reinforcement under Cos was seen to come in, Karnes and Smith had been sent to their last place of encampment, to ascertain, from the number of camp-fires and other signs, the probable strength of this auxiliary force. They returned and reported privately, as they had been directed, about five hundred and forty men.

Shortly after the departure of Smith and Reeves to destroy the bridge, Lieutenant-Colonel Bennett was sent through the camp to ascertain the state of feeling among the troops. He reported them all enthusiastic, and in fine spirits. It was now nearly three o'clock in the afternoon. The Mexicans were dull and heavy, the higher class of them enjoying their *siesta*. Santa Anna admits that he himself was asleep.[*] Houston, having formed his plan of battle, submitted it to the secretary of war, who approved of it. He then ordered the troops to parade, which they did with alacrity and spirit. The locality

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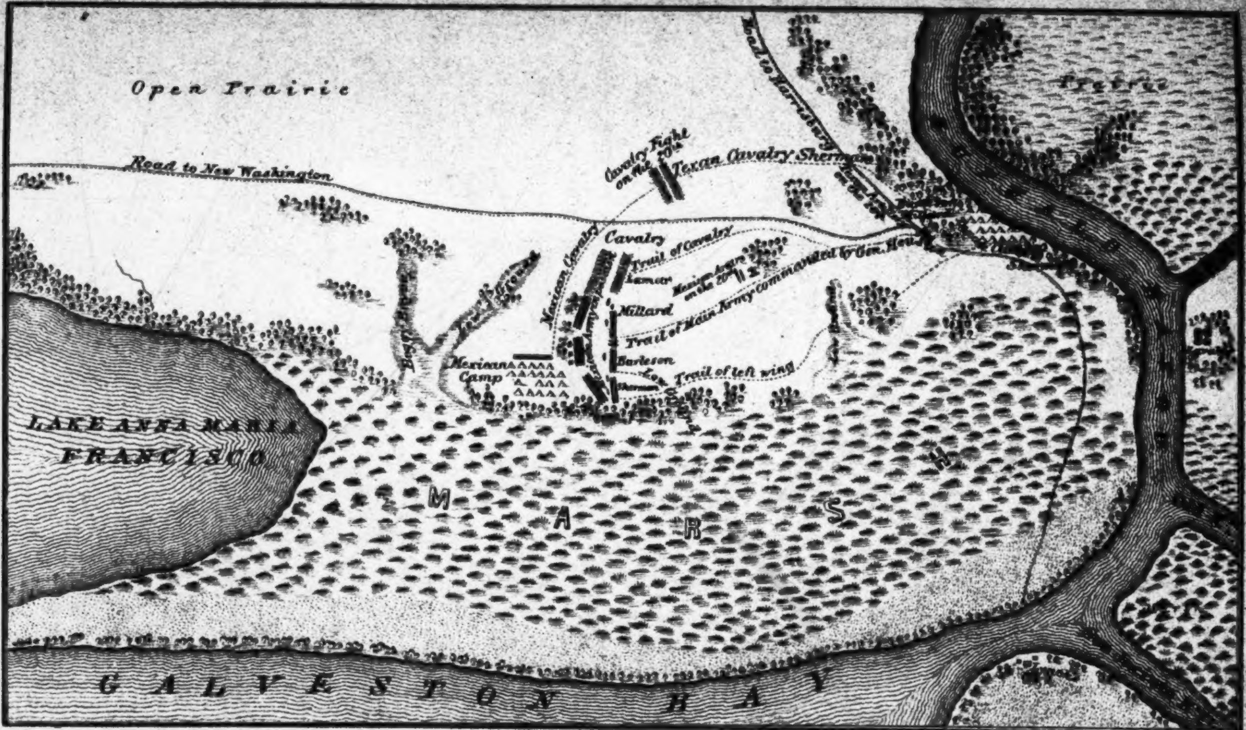
[*] See his "Manifesto." He handles the point most delicately: "All I can be responsible for is physical debility, for after having marched the whole of the previous day, and spending the night in watching, and the morning on horseback, I yielded to repose, which I was unfortunately induced to prolong in consequence of the delay of General Cos's troops. As general-in-chief, I had fulfilled my duty, by disposing everything on the field, and issuing the necessary orders; as a man, I yielded to the insurmountable necessity of nature, which can not, I think, be charged as a crime against any general, or me—much less when it took place at mid day, underneath a tree, and in the camp itself; a proof that I did not abandon myself immoderately to that which, after all, is but a comfort, a balm, or gentle tribute to human nature, with which the greatest men have been unable to dispense, not excepting *him*, the great military exemplar of our age: and yet for this they were not accused of rashness, and want of foresight, and due caution."



SAN JACINTO BATTLE-GROUND.

of the Texan camp afforded ample opportunity to form in order of battle without being seen by the enemy. Burleson's regiment was placed in the centre; Sherman's on the left wing; the artillery, under Hockley, on the right of Burleson; the infantry, under Millard, on the right of the artillery; and the cavalry, under Lamar (whose gallant conduct the day before had won him this command), on the extreme right. The enemy's cavalry was on his left wing; his centre, which was fortified, was composed of his infantry, with his artillery in an opening in the centre of the breastwork. He had extended his extreme right to the river, so as to occupy a skirt of timber projecting out from it.

The Texan cavalry was first despatched to the front of the enemy's horse, to draw their attention; while the remainder of the army, which had advanced in column to the cluster of timber three or four hundred yards in front, was deploying into line. The evolution was quickly performed, and the whole force advanced rapidly and in good order. The secretary of war, at the request of the general-in-chief, took command of the left wing. While the Texans were thus advancing, Deaf Smith rode at the top of his horse's speed to the front, and informed Houston that Vince's bridge was destroyed. The general announced it to the line. The "*Twin-Sisters*" now advanced to within two hundred yards of the Mexican breastwork, and opened a destructive fire with grape and canister. Sherman's regiment commenced the action upon the Texan left. The whole line, advancing in double quick time, cried, "*Remember the Alamo!*"—"*Remember Goliad!*"—and, while approaching the enemy's works, received his fire, but withheld their own until within pistol-shot. The effect of this fire on the enemy was terrible. But the Texans made no halt—onward they went. On the left, they penetrated the woodland:

the Mexicans fled. On the right, the Texan cavalry charged that of the enemy: the latter fled. In the centre, the Texan artillery advanced to within seventy yards of that of the Mexicans, but ceased to fire, for Burleson's regiment and Millard's infantry had stormed the breastwork, took the enemy's artillery, and were driving them back.

In fifteen minutes after the charge, the Mexicans gave way at all points, and the pursuit was general. Some of them fled to the river, some to the swamp in their rear, others toward Vince's bridge, but the largest portion perhaps to a clump of trees not far to the rear, where they surrendered. Such was their consternation, and so sudden their defeat, that their cannon was left loaded, and their precious moveables untouched; those that were asleep, awoke only in time to be overwhelmed; those that were cooking their dinner, left it uneaten; those that were playing *monté*, left the game unfinished. The morass in the rear and right of the enemy's camp, and into which so many of the fugitives fled, presented an awful scene. Men and horses, dead and dying, formed a bridge for the furious pursuers. The Texans, having no time to load their guns, used them as clubs. So with their pistols; they then had recourse to their bowie-knives, and finally to the weapons of the fallen enemy. It is said that Deaf Smith, after announcing to Houston the news of the destruction of the bridge, threw himself into the midst of the enemy, and, after breaking his own sword in combat, coolly took another from one he had slain, and continued the work of death. "The commander-in-chief," says the secretary of war in his report, "acted with great gallantry, encouraging the men to the attack, and heroically charged, in front of the infantry, within a few yards of the enemy." It was here that he received a severe wound in his ankle, and had his horse shot two or three times.

The pursuit of the enemy's cavalry continued to the site of Vince's bridge. Karnes led in this pursuit. He discovered in advance of him a Mexican officer in a splendid uniform, and mounted on a beautiful black charger. Being well mounted himself, he had a desire to capture him, and went in pursuit. Perhaps such a race was never before seen in Texas. Karnes, unable to gain on the fugitive, supposed he would take him at the destroyed bridge. The officer, reaching the bayou, saw that the bridge was gone, but, making no halt, plunged down the steep descent into the water; and, as Karnes rode up on the right bank, to his utter astonishment he saw his foe climbing the almost perpendicular wall on the other!

At dark the pursuit of the flying enemy ceased. The prisoners taken were conducted to the Texan camp, placed under guard, and supplied with provisions. A suitable guard was also left at the Mexican camp. The wounded of both armies were as well provided for as the circumstances would permit. After the excitement of the battle had somewhat subsided, Houston found that his wounded limb had swollen; his boot was cut off, and such attention paid to the wound as could be procured to alleviate the pain.*

The main body of the prisoners were taken that night. At their head was the cheerful and philosophical Almonté. With him it appeared only a scene in life's drama. Conversing fluently in both English and Spanish, he threw a charm over all with whom he came in contact. At a time so trying to his comrades, he proved himself a true descendant of the brave

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* See reports of General Houston and Colonel Rusk, Appendix I., Nos. 44 and 45. The writer has before him perhaps twenty accounts of this battle and its incidents, half of which have been published. The foregoing seems to be a fair deduction of the facts from them all. The accounts vary considerably, from the fact that no one of the eye-witnesses, however impartial, could himself see the tenth part of what occurred during the 20th and 21st.

Morelos, and worthy of a better fate than that accorded to his noble sire.

The aggregate force of the Texan army in the battle was seven hundred and eighty-three; that of the enemy was perhaps twice the number. The Mexicans lost six hundred and thirty killed, two hundred and eight wounded, and seven hundred and thirty prisoners; besides a large quantity of arms and great numbers of mules and horses taken, together with their camp-equipage, and the military chest, containing twelve thousand dollars. The Texan loss was only eight killed* and twenty-five wounded!

On the morning of the 22d, detachments were sent out to scour the country toward Harrisburg, for the purpose of taking prisoners. A party of five, having reached Vince's, continued the search down Buffalo bayou. One of them, James A. Sylvester, while in the act of shooting a deer, discovered a Mexican pursuing his course toward the bridge. He called his companions, and they rode up to the fugitive, who had fallen down in the grass, and thrown a blanket over his head. They called to him to rise, but he only uncovered his face. They repeated the request for him to rise two or three times, when he did so. He advanced to Sylvester, and shook hands with him, at the same time kissing his hand. He inquired for General Houston: they said he was in camp. They then asked him who he was. He said he was a private soldier. Seeing the fine studs on the bosom of his shirt, they pointed toward them. He then said he was an aide to Santa Anna, and burst into a flood of tears. They reassured him. He was dressed as a common soldier, and had no arms. He exhibited to them a letter from Colonel Almonté. As he complained of not being able to walk, he was placed on one of their horses, and conducted to the camp* by some of the party, Sylvester going in another direction.

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* Texans killed: Dr. William Motley, aide to the secretary of war; First-Lieutenant J. C. Hale, 2d regiment; Second-Lieutenant George A. Lamb, 2d regiment; First-Sergeant Thomas P. Fowl, 2d regiment. *Privates*: Lemuel Blakely, 1st regiment; ——— Cooper, 1st regiment; A. R. Stevens, 1st regiment; ——— Trask, 2d regiment (on the 20th). — *Official return.*

Among the Mexican killed were, General Castrillon, Colonel Batres, Colonel Mora, Colonel Trevino, Colonel José M. Romero, Lieutenant-Colonel Manuel Aguirre, and Lieutenant-Colonel Castillon.

Among the prisoners taken were, General Santa Anna, General Cos, Colonel Almonté, Colonel Bringas, Colonel Ocepedes, Colonel Portilla, &c.

The distinguished prisoner—for it was Santa Anna—was handed over to Colonel Forbes, at the guard-lines; and, exhibiting to him a letter addressed to "Don Antonio Lopez de Santa Anna," desired to be conducted to General Houston. Colonel Hockley at that time passing by, the matter was referred to him; and they both concluding that it was Santa Anna, conducted him to headquarters. On the way, the Mexican prisoners exclaimed, "*El presidente!*"

Houston was lying on a mattress, under an oak which he had made his headquarters, with his wounded limb in an easy position,† and had fallen into a gentle slumber. Being awakened, the captive chieftain said to him, "I am General Antonio Lopez de Santa Anna, and a prisoner-of-war at your disposition." Houston looked at him, and by a motion of his hand directed him to a tool-chest, where he could sit down. He did so, leaning forward, and pressing his sides with his hands. Colonel Forbes was then despatched for Santa Anna's private secretary, in order to identify his chief. He was brought; and, in the meantime, Colonel Rusk and others came up. Santa Anna asked for opium. A piece of about five grains was handed him, which he swallowed. He immediately proposed to enter into negotiations for his liberation; but General Houston answered him that it was a subject of which he could not take cognizance, inasmuch as Texas had a government, to which such matters appropriately belonged. Santa Anna observed that he disliked to have anything to do with civilians; that he abhorred them, and would much rather treat with the general of the army. "And," continued he, "general, you can afford to be generous; you are born to no common destiny —you have conquered the Napoleon of the West." General Houston and Colonel Rusk both assured him that no negotiations could be opened until the cabinet assembled. General Houston then asked him how he expected to negotiate under the circumstances that had occurred at the Alamo. About this time, Colonel Almonté, who had been sent for, arrived; and, after salutations between him and his chief, the latter replied that "General Houston knew that, by the rules of war, when a fortress, insufficient to defend itself, was summoned to surrender, and refused, and caused the effusion of human blood, the vanquished, when it was taken, were devoted to execution." General Houston replied that "he knew such to have been the rule at one period, but he thought it now obsolete, and a disgrace to the nineteenth century. But," continued Houston, "General Santa Anna, you can not urge the same excuse for the massacre at Goliad: *they* capitulated, were betrayed, and massacred in cold blood!" Santa Anna replied: "If they ever had capitulated, he was not aware of it. Urrea had deceived him, and informed him that they were vanquished; and he had orders from his government to execute all that were taken with arms in their hands." Houston rejoined: "General Santa Anna, you are the government—a dictator has no superior."—"But," answered Santa Anna, "I have the order

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* Letter of James A. Sylvester, sergeant in Captain Wood's company.—*Telegraph of August* 2, 1836.

† Statement of Colonel Forbes.

EJERCITO DE OPERACIONES.

Duplicado

E. S.

Habiendo ayer tarde tenido un encuentro desgraciado la corta div.on q. obraba á mis inmediaciones, he resultado estar como prisionero de guerra en poder del contrario; habiendoseme guardado todas las consideraciones posibles; en tal concepto, prevengo á V. E. ordene al Gral. Gaona contramarche p.a Bejar á esperar órdenes, lo mismo q. verificará V. E. con las tropas q. tiene á sus órdenes, previniendo asi mismo al Gral. Urrea, se retire con su Div.on á Guadalupe Victoria, pues se ha acordado con el Gral. Houston, un armisticio, ínterin se arreglan algunas negociaciones q. hagan cesar la guerra p.a siempre.

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armisticio, ínterin se arreglan algunas
negociaciones q.e hagan cesar la guerra p.a
siempre.

Dicte V. E. disposiciones p.a la manutencion
del Ejercito, q.e desde luego queda ya á las
ordenes de V. E., de los caudales llegados
á Matamoros, y víveres q.e deben existir
en dho. puerto y Victoria, ademas de los

veinte mil ps. q. deben estar en esa Tesa.
y se hallan en Bejar.

Espero q. sin falta alguna, cumpla V. E. con estas disposiciones, avisandome en contestacion, de comenzar á ponerlas en práctica.

Dios y Libertad. Campo de S. Jacinto Abl. 22 de 1836.

Ant. Lopez de Santa Anna

presencia.-

Dios y Libertad Campo de
S. Jacinto Ab.l 22 de 1836.-

Ant.o Lopez de
Santa Anna

E. S. Gral de Div.on D. Vicente Filisola.-

of our Congress to treat all that were found with arms in their hands, resisting the authority of the government, as pirates.* And Urrea has deceived me. He had no authority to enter into any agreement; and, if I ever live to regain power, he shall be punished for it."

After a pause, Houston asked him if he did not desire some refreshment, as he supposed he was exhausted. He said he did. He was then asked if he desired to have his tents, baggage, staff, servants, &c. He replied that he would gladly have them. Colonel Almonté was thereupon directed to select them; and the prisoner's quarters were established near Houston's favorite tree, where he had his headquarters.

General Houston, previous to Santa Anna's retirement from the audience, stated to him that he must forthwith write an order to his second in command to evacuate Texas, and fall back to Monterey. His despatch, though not to the extent asked, is as follows:—

"ARMY OF OPERATIONS.

"EXCELLENT SIR: Having yesterday evening, with the small division under my immediate command, had an encounter with the enemy, which, notwithstanding I had previously taken all possible precautions, proved unfortunate, I am, in consequence, a prisoner in the hands of the enemy. Under these circumstances, your excellency will order General Gaona with his division to countermarch to Bexar, and wait for orders. Your excellency will also, with the division under your immediate command, march to the same place. The division under command of General Urrea will retire to Guadalupe Victoria. I have agreed with General Houston for an armistice, until matters can be so regulated that the war shall cease for ever.

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* Here are the decrees referred to by Santa Anna:—

"1. Foreigners landing on the coast of the republic, or invading its territory by land, armed, and with the intention of attacking our country, will be deemed *pirates*, and dealt with as such, being citizens of no nation presently at war with the republic, and fighting under no recognised flag.

"2. All foreigners who shall import, by either sea or land, in the places occupied by the rebels, either arms or ammunition of any kind for their use, will be deemed *pirates*, and punished as such.

"I send you these decrees, that you may cause them to be *fully* executed.

"TORNEL.

"MEXICO, *December* 30, 1835."

"Your excellency will take the proper steps for the support of the army, which from this time remains under your command, using the moneys lately arrived from Matamoras, the provisions on hand there, as well as those at Victoria, and also the twenty thousand dollars withdrawn from Bexar, and are now in that treasury.

"I hope your excellency will, without failure, comply with these dispositions—advising me, by return of the courier, that you have already commenced their execution. God and liberty!

"Camp at San Jacinto, April 22, 1836.

"ANT^{o}. LOPEZ DE SANTA ANNA.

"To his Excellency Don VICENTE FILISOLA, *General of Division.*"

Santa Anna, at the same time, addressed another despatch to General Filisola, charging him to instruct the commandants of the several Mexican divisions not to permit any injury to be done to the inhabitants of the country: also, at the same time, a third note, directing Filisola to order the military commandant at Goliad to set all the prisoners, taken at Copano (as before related), at liberty, and send them forthwith to San Felipe de Austin.

These orders were despatched by Deaf Smith. The troops under Filisola had been encamped on the eastern bank of the Brasos. They could not be made to believe the report of the first fugitive from the battle-field of the San Jacinto; but when, an hour afterward, a second one come in, orders to retreat were given, and they recrossed the river.*

The 22d day of April was the first *free* day in Texas. Before then, her people had declared their independence, but now they had won it in a noble contest. The victory was physically and morally complete. The blow was given at the proper time, and in a vital part. In looking back at the events of the campaign, we can see no time when it could have succeeded so well. Providence seemed in every way to favor the result. It was a full retribution for past outrages. Santa Anna had presided over a feast of blood at the Alamo; he had ordered a second at Goliad; and he was made to behold another at San Jacinto. The Texans had their revenge. At that time, a thousand troops were on the way to reinforce their army; but it was so ordered that they should do the work themselves. At the period of the battle, the feeling in the United States was most intense. An agent of Texas, writing from New Orleans after the action, but before the receipt of the intelligence, says: "News received here, from every part of the United States, is very cheering. The cruelty of the Mexicans, and their disgraceful treachery, have caused a general burst of indignation from North to South. Fifty men leave here to-day by way of Galveston. General Felix Huston leaves Natchez, on the 5th of May next, with from five to seven hundred men. He will be accompanied by Rezin P. Bowie, brother of Colonel Bowie, who fell in the Alamo. They will march through lower Louisiana, directly to Harrisburg, or wherever your headquarters may be established. Fifty men have left Philadelphia; and, by the latest papers, I see that a county and town meeting has been called for the relief of Texas. A meeting has also been called in Baltimore. Men are gathering in Tennessee and Kentucky; and, in short, in every part of the United States, the barbarity of the enemy has harrowed up the hearts of all Americans, and a storm is gathering, the thunders of which will reach the centre of Mexico. The whole American press is in our favor. . . . In case our arms are successful, I hope our soldiers will not allow their passions to urge them to acts of barbarity, and thus deprive us of the immense moral strength we now possess in the sympathy and respect of all civilized men. Such acts, on the part of the Mexicans, have injured them more than our arms could have done; and retaliation on our part, I fear, would be equally fatal to Texas. I am happy in assuring you that you possess many warm friends in the United States, and that the prudent course you have pursued has inspired universal confidence as to the eventual result of the war. It is sincerely wished that a doubtful engagement will not be risked by you, as a very short time must give you force enough to place the contest beyond hazard."*

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* Of this large invading force brought by Santa Anna into Texas, but few ever reached their homes. We have learned something of those that came from Yucatan. It was in the winter of 1835 that Santa Anna ordered a levy of eight hundred men from that state for the invasion of Texas. These men were torn away, by military force, from their families and occupations, to go on the campaign. The sudden use of harsh means, and the indignities offered them, filled them with despair (for the Yucatecos are greatly attached to their homes). They entered into a conspiracy against their officers; but it was discovered, and General Toro (a brother-in-law of Santa Anna) sent to Merida for a troop of Mexican cavalry, who disarmed them, and forced them in small companies to embark for Vera Cruz, where they were again supplied with arms, and incorporated with the invading army. It was a portion of this body of poor Indians that performed the bloody work at Goliad. From starvation, and the incidents of war, there were not so many as fifty of them that ever returned to see their wives and children! It was this cruelty in carrying away her citizens that exasperated Yucatan against Mexico, and caused her afterward to declare her independence. —*Letter of George Fisher, May 3, 1842.*

The Texan cabinet, after having dispersed at Harrisburg, reassembled at Galveston island.† The news of the arrival of the Texan army at the former place reached the officers of the government at Galveston about the 19th of April, yet they received no further intelligence from the army until the 26th. On that day, and previous to the reception of the news, an order was sent to Houston, if he considered it inexpedient to risk an engagement, and a retreat was *inevitable*, to march the army to Galveston.* But the intelligence of the victory, which shortly afterward reached the government, assured it that a retreat was not necessary: and, with the news of this splendid achievement, came a special request from Colonel Rusk to President Burnet to repair to the camp at San Jacinto. Arriving there about the first of May, he was informed of the armistice† agreed to by Houston and Santa Anna, the object of it, and the consequent orders issued by the latter to Filisola on the 22d.

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* Edward Conrad to Sam Houston, April 30, 1836.

† President Burnet to the People of Texas, No. 1. Five successive papers,

The effects taken in the battle of the 21st were first disposed of. The property was ordered to be sold, and the distribution of the proceeds and of the enemy's military chest were decreed by the government to be divided between the officers and men. Of the entire amount—eighteen thousand one hundred and eighty-four dollars and eighty-seven cents—three thousand dol-

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addressed by President Burnet to the people of Texas, appeared in so many successive numbers of the "Telegraph and Texas Register," commencing September 6, 1836, and throw much light upon the events of that period. They will be referred to by numbers.

* "Department of War, Galveston, *April 26, 1836.*

"To General Sam Houston: If you consider it inexpedient to risk an engagement with the enemy, and consider a retreat *inevitable* from the position you now occupy, you are hereby ordered to march with the army under your command to the nearest and most convenient point to this island, giving information of the same to this department, when transports will be sent forthwith to cross the troops to this island.

"Warren D. C. Hall, *Acting Secretary of War.*"

† President Burnet calls it a *treaty.* Santa Anna was distinctly informed by both Houston and Rusk that the Texan government alone could *negotiate;* and the former so understood it. The treaty-making power had been, by the convention, specially delegated to the *civil* government.

lars were by the troops unanimously voted to the navy, and the balance distributed according to the decree.* A poor pittance to those gallant men!—but it was all they received for many a day.

The government now proceeded to negotiate with Santa Anna. "Among the first incidents to that discussion," says President Burnet, "and before any regular cabinet meeting was had, was the presentation to me of the protocol of a treaty, in pencil, comprising seven or eight articles, by Mr. Rusk, the secretary of war."† These, being drawn out in form, were presented as the basis of a treaty. After considerable discussion in the cabinet, it was found that a minority of that body were opposed to making any treaty with the Mexican president. As he was a prisoner, they urged, with reason, that such a treaty would not be binding. Again, they said, though with less reason, that such had been his barbarity at Goliad and elsewhere, that he ought to be tried and put to death. But, happily, better and nobler counsels prevailed; and it was concluded by the majority that the best interests of Texas would be promoted by entering into a fair and honorable treaty with the distinguished captive, stipulating always for the absolute independence of Texas.

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* Decree of the President and Cabinet, May 8, 1836. Official Report of John Forbes, Commissary-General.

† Address No. II. As this was the first treaty made by the new republic, a reference to its origin may not be improper. It is found in the following extract of a letter from Houston to Rusk, dated

"HEADQUARTERS OF THE ARMY, CAMP SAN JACINTO, *May* 3, 1836.

"I have not the pleasure to know on what basis the executive government contemplate the arrangements with General Santa Anna, but I would respectfully suggest that, so far as I have been enabled to give my attention to the subject, the following points should have some weight:—

"The recognition of the independence of Texas should be a *sine qua non*.

"The limits of Texas should extend to the Rio Grande, from the mouth, pursuing the stream to its most northwestern source, and thence northeast to the line of the United States.

"Indemnity for all losses sustained by Texas during the war; commissioners to be appointed to ascertain the fact—one Mexican, one Texan, and one American.

"The guaranty to be obtained from the United States for the fulfilment of the stipulation on the part of the contracting parties.

"General Santa Anna to be retained as a hostage, with such other officers as the government may think proper, until they are recognised or ratified by the Mexican government.

"Immediate restoration of Texan or Mexican citizens, or those friendly to the cause of Texas, who may have been retained, with their property.

"Instantaneous withdrawal of all the Mexican troops from the limits of Texas.

"All property in Texas to be restored, and not molested by the troops, or marauders, in falling back.

"Cessation of all hostilities by sea and land.

"A guaranty for the safety and restoration of Mexican prisoners, so soon as the conditions shall be complied with.

"Agents to be sent to the United States, to obtain the mediation of that government in the affairs of Mexico and Texas."—*New Orleans Bulletin, July* 12, 1836.

During this discussion, it became necessary to remove to other quarters. Accordingly, in a few days, the president and cabinet, with Santa Anna and most of the Mexican officers who were captives, took passage on the steamer "Yellowstone" for Galveston. But the entire want of accommodation at this point induced a second removal, to Velasco. Here the negotiations were continued. As Santa Anna desired that the *projet* of the treaty which had been submitted to him should be divided into a *public* and a *secret* treaty, his wishes were granted; and the two treaties were made and signed at Velasco, on the 14th of May, 1836.

The *public* treaty provided for the cessation of hostilities between the two armies; for the speedy retirement of the enemy's forces beyond the Rio Grande; for the protection of private property on their march; for the restoration of property taken by the Mexicans; and that the Texan army do not advance nearer the retreating army than five leagues. The *secret* treaty provided that Santa Anna would give his orders that, in the shortest possible time, the Mexican troops should leave Texas; that he would prepare matters in the cabinet of Mexico for the reception of Texan commissioners, and that by negotiations all differences might be adjusted, and the independence of Texas acknowledged; that a treaty of commerce, amity, and limits, should be established, the boundary of Texas not extending beyond the Rio Grande; and that Texas should provide for the prompt return of Santa Anna to Vera Cruz, to enable him to perform his engagements.*

Such were the provisions of the two treaties, written in English and Spanish, and signed in duplicate by Santa Anna on the one part, and by the president *ad interim* and three of the cabinet on the other. It is proper to state here, that General Houston's wound having disabled him from active service, Thomas J. Rusk was placed in command of the army, under the rank of a brigadier-general; that, in consequence, Mirabeau B. Lamar succeeded Rusk in the war office; and owing to the sickness of Samuel P. Carson, the secretary of state, James Collingsworth succeeded him; and by the accidental death of David Thomas, the attorney-general, Peter W. Grayson was appointed to fill that vacancy. Messrs. Lamar and Potter were the only opponents of the arrangement with Santa Anna.

These treaties, for reasons that will appear hereafter, were not popular in Texas; but time has shown that President Burnet and his cabinet acted wisely. The rash and imprudent course suggested by the opposition would have rendered Texas obnoxious to the charge of inhumanity, aroused and united the dormant spirit of Mexico, and—what was of priceless value to Texas—deprived the latter of the active sympathies of the

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* See Appendix No. V. The first proposition for establishing the limits of Texas was made by Jesse Grimes, in the convention at Washington: it proposed the boundary afterward allowed. Houston, after leaving Washington to take command of the army, had written back to James Collingsworth, chairman of the military committee, to offer a resolution declaring Texas a portion of Louisiana. The convention, however, took no action on the question of limits.

Daguerreotype by [illegible] [illegible]

Thomas J Rusk

[illegible] Publisher
New York

civilized world. No nation has ever suffered for being humane and generous. In the nineteenth century, public opinion is worth everything; it is more than an armed host; nor can any nation long resist it. At that moment, when the eyes of the world were upon the deliberations of the Texan government, on Buffalo bayou, the slightest acts of cruelty or inhumanity on her part would have withered her hopes for ever. But, thanks to her good fortune and rising prospects, her better counsels prevailed; and, by those treaties, she won a brighter and more glorious victory than that of San Jacinto—a victory over herself and her own passions. From the remotest times, the world has groaned under the tread of conquerors; but how few have learned the nobler lessons of humanity!

In point of time, we will now return to other events. As has already been stated, the alarm in eastern Texas, consequent upon the approach of the invading army, subsided about the 16th of April. General Gaona, at the head of a motley host of Mexicans and Indians, did not *débouche* from the forests of the upper Trinity, but was making his way from Bastrop to San Felipe. Bolles, the Cherokee chief, indignant at the supposed suspicion of his good faith and pacific intentions, sent in his denial. Accordingly, the forces destined for the Texan army set out on the march. On the 22d of April, three companies left Robbins's ferry on the Trinity, and on the 23d two others followed for the same destination.* These, in addition to those coming from the United States, would soon have presented a formidable army. But the news of the victory anticipated and turned many of them back. Despatches were sent to eastern Texas, notifying them that the enemy were retreating for the purpose of concentrating, directing the troops to turn out, and also desiring the people to plant corn.[*] Those who had fled returned rapidly with their families to their deserted homes—very many, however, only to behold their dwellings in ashes, and their stock and other property destroyed. Such are the ravages of war—such the price a nation pays for its liberty.

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* Letter of George P. Diggs, Acting Assistant Quartermaster-General, April 23, 1836.

The intelligence of the victory of San Jacinto spread over the United States with unexampled rapidity, and was received with rejoicings, bonfires, public meetings, and congratulations, not surpassed by the demonstrations attending the triumph at New Orleans. It was their own offspring contending for the rights, and showing the spirit of the mother, that gave them so much joy. It must not be supposed, however, that Mexico beheld this kindred feeling and sympathy with any kind of patience. But the government of the United States took early steps to preserve its neutrality. On the receipt of the news of the battle at Gonzales, in 1835, letters were sent to the district attorney of the United States at New Orleans, and to the governor of Louisiana, requesting the vigilant suppression of any movements in violation of the neutral obligations of the United States. Two days after these instructions were despatched, Señor Castillo, the Mexican *chargé d'affaires* at Washington, gave information of some contemplated military movements at New York and New Orleans in favor of Texas.[†] The secretary of state, in reply to this,[‡] had an interview with Señor Castillo, and explained to him the nature of the laws and institutions of the United States on this subject, and stated to him the views of President Jackson in the matter. On the same day the secretary of state addressed letters to the district attorneys of the United States at different points on the frontier and seacoast, and instructed them particularly to prevent, as far as they legally could do, any interference in the pending contest between Mexico and her rebellious colonies.

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[*] Secretary of War to the Troops and People of the East. Houston to the same: April 26, 1836.

[†] Castillo to the Secretary of State of the United States, October 29, 1835.

[‡] November 4, 1835.

On the 19th of November, of the same year, the secretary of external relations in Mexico addressed a letter directly to the secretary of state of the United States, complaining of such interference on the part of the people of Louisiana in behalf of the Texan cause. This letter was written in consequence of the capture of the Mexican armed schooner *Correo*, Captain Thompson, by the Texan vessel the *San Felipe*, Captain Hurd, as previously related, in September, 1835. The secretary, in his reply,* after explaining the character of the laws of the United States, and stating the measures which had been taken by that government to prevent a violation of the neutrality laws, informed Señor Monasterio that the United States could not be held responsible for the conduct of individuals, who left her territory as such; and that she could only proceed against them when they went organized and in armed array.

It was in consequence of this exposition of the laws and policy of the United States, that the Mexican government adopted the decree (given on a previous page) declaring all such intrusive foreigners to be pirates, to whom no quarter should be given; and in execution of which the bloody scenes at Goliad and the Alamo were enacted.

In the meantime, Señor Gorostiza, having been accredited as Mexican embassador to the government at Washington city, complained of the movements of General Felix Huston, of Natchez, and of the ladies of Nashville, in raising troops for Texas. The American secretary of the state referred him to instructions previously given to nearly all the United States attorneys. The minister, in reply, rather doubted whether the United States attorneys had performed their duty. He was requested to point out an instance, and the delinquent should be dismissed; but he failed to do it.* Thus the government of the United States did what it could to preserve its faith with Mexico, and the people did what they could to aid Texas.

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* Secretary of State of United States to Señor Monasterio, January 29, 1836.

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* Gorostiza to the Secretary of State, April 4, 1836; Secretary of State to Gorostiza, April 9, 1836. Gorostiza to the Secretary of State, July 21 1836; Secretary of State to Gorostiza, July 26, 1836.

CHAPTER VI.

To return to the movements of General Filisola, now in command of the invading army. It seems that the destruction of Vince's bridge not only facilitated the capture of the enemy who had crossed it, but prevented the main body from receiving information of the battle of the 21st of April until the 23d. "On the afternoon of the 23d," says Filisola, "I was concluding the operation of sending across the river the section with which General Gaona was to march to Nacogdoches, when a soldier of the frontier dragoons presented to me a small piece of paper, written with a pencil, by Colonel Mariano Garcia, first aide of Guerrero, in which he informed me of the unfortunate occurrence of the afternoon of the 21st. A short time after, some fugitives arrived, and among them Captain Miguel Aguirre, of the Tampico regiment, wounded in the action in the thigh, by a rifle-ball, who said that the defeat had been perfect, and the existence of the president quite doubtful. Such news made me immediately suspend the passage of the river by the force that was to have gone with Gaona, and to send a picket of cavalry in the direction of the battle-ground, as much to acquire correct information of the actual fate of the president, as to protect the fugitives who might have escaped. But the enemy had burnt the bridge, which was the only road for retreating; and consequently the picket accomplished little or nothing in either respect, for all had been killed or made prisoners. Alarm and discouragement was general among all classes, for it was believed that all the prisoners, the president included, would have been shot, as a reprisal for the conduct observed with theirs at Bexar and Goliad."*

Before day, on the 24th, the Mexicans had all reached the right bank of the Brasos. Orders were immediately given to retreat, and to concentrate at Mrs. Powell's, on the road to Victoria, and fifteen miles distant from Fort Bend. On the 25th, the divisions under Filisola, Gaona, Urrea, and Sesma, all concentrated there. A council of war was holden, and it was unanimously agreed that they should repass the Colorado, establish communications with the capital, and await assistance and advice.† Filisola had under his command four thousand and seventy-eight men,‡ and stood more in need of provisions than of additional troops. As had been predicted by the Texan commander, the retreat and pursuit across the Brasos had exhausted the enemy's provisions. For many days they had not eaten bread. The officers were in want of everything. Corn was sold in the camp at twenty-two dollars per bushel, a loaf of bread at three dollars, a pint of brandy at eight dollars! Moreover, the greater part of the soldiers were barefooted, and wanting in clothing. Add to all this the alarm produced by the report of the overwhelming defeat of Santa Anna, and we have the reasons that operated upon the Mexican council of war in favor of a retreat. Accordingly, on the 27th, they marched from Mrs. Powell's, intending to cross the Colorado at Cayce's ferry. They passed the first prong of the San Bernard, and encamped that night "without having a place to stand on that was not covered with water." Arriving at the second prong, they found it not fordable. On the afternoon of the 28th, Deaf Smith overtook them, and delivered to General Filisola the orders of Santa Anna of the 22d of April.* But the Mexican general needed no command to retreat. He was already hastening that operation. The rains were nearly constant. The streams were all overflowing their banks, and the foundations of the roads were broken up. Deaf Smith represents the retreat as a flight—the way being strewn with wagons, artillery, horses, and baggage, abandoned by the enemy. Finding they could not reach Cayce's ferry, they turned up to the *Atasco sito* crossing, and, after innumerable hardships and privations, so feelingly described by Filisola in his letter to Tornel, they passed the Colorada on the 9th of May, and on the 14th arrived at Victoria. They there hastened to find provisions, but in this they were partly disappointed. A quart of corn was sold in camp for a dollar, and a pound-and-a-half loaf for three dollars! Filisola complains of the immense amount of baggage with which he was encumbered, and likewise of the great number of mules and women in the train of the army.

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† Filisola's Defence, p. 39.

† Filisola to Tornel, May 14, 1836.

‡ Filisola's Defence, p. 30.

Colonel Alcerrica, who commanded a battalion of Mexicans at Matagorda, as soon as he heard of Santa Anna's defeat, without waiting for orders, retreated by sea to Matamoras. Thus, on the day the treaty was signed with Santa Anna at Velasco, the whole of the Mexican army, who were not prisoners, were on the Guadalupe, or west of it. It is proper also to state that, as Filisola feared the news of his chief's capture might produce disturbances at Matamoras, or in its neighborhood, he despatched General Urrea with eight hundred troops directly to that point.

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* Filisola's Defence, p. 42. We follow Filisola here, who, in his account of the retreat, can certainly be relied on. No enemy could make it worse.

On the receipt of the order of Santa Anna of the 22d of April, General Filisola, in reply, stated that he would repass the Colorado, and cease hostilities, unless the Texans should give occasion for their continuance. He likewise promised to respect the property of the Texans on the route. But, inasmuch as Santa Anna did not state in his communications the basis of the armistice therein named, Filisola despatched General Adrian Woll to the headquarters of the Texan army to learn the particulars.* General Woll, bearing a flag of truce, entered the Texan lines before he was known, or the nature of his mission explained. He was conducted to the general-in-chief, courteously received and treated, but detained as a prisoner, and consigned to the care of Major Teal. He appealed to the flag he bore, and remonstrated with some indiscreetness against such treatment. But, at that time, negotiations with Santa Anna were pending; it was known that the enemy's force had concentrated; and it was important that General Woll should be detained until these negotiations were concluded, and the Mexican army safely across the Colorado. This step appeared to be necessary, inasmuch as the immediate return of Woll, after observing the Texan camp, and conversing freely with Santa Anna, might have endangered the consummation of the business on hand. It was desirable that Texas should secure her rights, if possible, without a further effusion of blood, and that the invading army should quietly repass the Rio Grande; for it was believed that if this object could be effected, and time given for reflection, no army of like force would ever again be sent from Mexico to Texas. Besides, Texas desired repose; she wanted time to plant corn, and to recruit her impoverished garners.†

An advance was sent forward, under Colonel Burleson and

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* Filisola to Santa Anna, April 28, 1836.

† Colonel Forbes's Notes.

Captain Karnes, to watch the motions of the enemy. Captain Seguin also did good service in reporting the progress of the retreat. These officers were instructed not to molest the Mexicans, so long as they continued to retreat, and did not encroach upon the citizens or their property.* On the 5th of May, General Houston surrendered the command of the army to Brigadier-General Rusk, and the latter shortly afterward moved up to Harrisburg.† From this point the Texans continued near the enemy, but strictly observing the articles of the armistice.

The Mexican army having moved from Victoria to Goliad, after being reinforced by the detachment of Andrade from San Antonio, continued the retreat until the 26th of May, when, at the Mugerero, it was overtaken by Colonel Benjamin F. Smith and Captain Henry Teal, commissioners, sent with the public treaty of the 14th of May, with full authority to ratify it on the part of General Rusk, and to ask its ratification on the part of General Filisola. General Tolsa and Colonel Amat having been appointed commissioners on the part of the latter commander, the papers were duly examined, and the agreement ratified by the respective commissioners, and approved by General Filisola. These matters being adjusted, the latter continued his retreat toward the Rio Grande.

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* Order to Karnes, May 3, 1836.

† Extract from General Houston's order of May 5, 1836:—

"COMRADES: Circumstances connected with the battle of the 21st render our separation for the present unavoidable. I need not express to you the many painful sensations which that necessity inflicts upon me. I am solaced, however, by the hope that we will soon be reunited in the great cause of liberty. Brigadier-General Rusk is appointed to the command of the army for the present. I confide in his valor, his patriotism, and his wisdom. His conduct in the battle of San Jacinto was sufficient to insure your confidence and regard. The enemy, though retreating, are still within the limits of Texas. Their situation being known to you, you can not be taken by surprise. . . . . In taking leave of my brave comrades-in-arms, I can not suppress the expression of that pride which I so justly feel in having had the honor to command them in person; nor will I withhold the tribute of my warmest admiration and gratitude for the promptness with which my orders were executed, and union maintained through the army."

It is not our purpose to enter into the controversy between the generals of the retreating army. The position of Filisola was most unenviable. He foresaw that the storm of disappointment would fall upon his head, whatever he might do; nor would his situation, and the absolute want of provisions, enable him to do much. His official letter, conveying the sad news of the great battle, and the capture of the president, reached the Mexican capital on the 15th of May. It was immediately answered by Tornel, secretary of war and marine. Filisola was directed to address the Texan general, "exacting from him, by decorous means, the liberty of the president general-in-chief, or at least, during the time this point should be arranged, the consideration due to his high dignity." He was further directed to use all his efforts to save the remainder of the army, by concentrating it in some place convenient for provisions. He was further instructed that the preservation of Bexar was of "absolute necessity." And, in spite of the decree declaring the Texans taken with arms in their hands to be *pirates*, he was authorized to "propose exchanges, and to *preserve* for that purpose, because *humanity* required it, the lives of the *prisoners* made, and that might be made, from the enemy."* When Filisola received that letter, the treaty with Santa Anna had already been ratified by him, Bexar had been already evacuated, and the Mexican army was marching on half-rations or less beyond the Neuces. As to provisions, the little navy of Texas had picked up the supply forwarded from New Orleans, and the merchants there would risk no more.†

The Mexican government having received, through General

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* Tornel to Filisola, May 15, 1836.

† Filisola to Tornel, May 31, 1836.

Filisola, the armistice agreed to between Houston and Santa Anna, approved the conduct of Filisola in its observance; but at the same time stated that they desired the latter to "act with extreme caution, and, while he endeavored not to compromit, in any manner, the life of the illustrious general Santa Anna, he should also avoid pledging the honor of the nation." It was a knotty point—the government could not resolve it; but, while they forbade anything like an acknowledgment of Texan independence, which they declared the nation never would agree to, they left all to the discretion of Filisola, and again reminded him how deeply they were interested in the salvation of Santa Anna.*

Subsequently recovering, however, from the consternation produced by the blow given, the central authorities urged Filisola to retreat no farther, but await reinforcements, as they would soon despatch four thousand additional troops by water from Vera Cruz to Matamoras. But it was too late: Filisola did not like Texas; he pronounced it a country of "mud and sand," and left it. Nor did the reinforcement arrive.

The government of the United States was not satisfied with mere diplomatic letters, but was to some extent affected by the proximity of these contending forces. General Edmund P. Gaines was intrusted with the command of the southwestern military division of the United States. He felt a deep and earnest sympathy for Texas, and was only prevented by his position from taking part in her behalf. His instructions forbade his advancing beyond the territory then in the possession of the American Union, unless the Indians were employed immediately upon the border, or unless armed parties of the belligerents should approach the frontier so near as manifestly to show that they meant to violate the territory of the United

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* Tornel to Filisola, May 15, 1836 (second of that date).

States. But if the Indians should engage in the war, or circumstances should distinctly show the necessity of crossing the possessory boundary for the protection of the country adjoining the scene of operations in Texas, then he should cross that boundary, which was the Sabine, making known to any armed parties the object of such step. At the same time he was instructed in no event to co-operate with either party, or suffer them to join him. And, should he pass that boundary, he was ordered to return as soon as circumstances would permit.*

Under these instructions, General Gaines, after ordering the sixth regiment of infantry from Jefferson Barracks to Fort Jesup, came in person to the frontier. There he received intelligence from General John T. Mason, of Nacogdoches, of the warlike attitude of the Indians, and their reported combined movement. He therefore immediately despatched Lieutenant Bonnell to the Caddo villages, to persuade them to peace. Bonnell found that Manuel Flores, a Mexican agent, had been among them, exerting every effort to induce them to declare war against Texas. Gaines, in the meantime, had advanced with fourteen companies to the borders of the Sabine.† Further to strengthen himself, he made a requisition upon the governors of Louisiana, Mississippi, and Tennessee, for a brigade each of volunteers, and upon the governor of Alabama for a battalion. To appreciate the apparent necessity for these forces, we must recur to the information (then believed to be true) in General Gaines's possession. General Mason, then commandant of the militia of Nacogdoches, sent him an express, which reached him at Natchitoches, on the night of the 13th of April, informing him "of the concentration of a large number of Indians about sixty miles from Nacogdoches, and thirty miles north of the San Antonio road; that one thousand mounted Mexicans were with them, and that their combined force was at least twenty-five hundred men." He was further informed by Mr. Dart, the bearer of the express, that there were at least three hundred families between the Trinity and the Neches, who would fall into the hands of the enemy; and that Nacogdoches and its vicinity had already been abandoned by the families there resident.* Under these circumstances, he made the requisition for troops, as before related, and took his position on the western verge of the neutral ground. After the news of the signal victory of the 21st of April, there seemed to be no further necessity for the stay of General Gaines on the banks of the Sabine, for the Indians were then ready to take sides with the whites, and the Mexicans under Gaona were retreating rapidly upon Matamoras.

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* Lewis Cass, Secretary of War, to Edmund P. Gaines, May 12, 1836.

† Letter of J. Bonnell, May 5, 1836.

This movement of American troops was made known to the Mexican government by President Jackson himself. Gorostiza, the Mexican minister, having called on him, the subject of Santa Anna's cruelty came up in conversation. Gorostiza alleged that it was necessary to the consolidation of the dictator's *liberal policy* that rebel blood should be sacrificed. Jackson replied that it was a sacrifice of American blood. "True, your excellency," said the minister, "but among the candidates for land, we could not discriminate."—"Well, well," answered the president, "but Santa Anna, and all others, will find such immolations very unsavory and indigestible. The

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* Samuel P. Carson, Texan Secretary of State, to Sam Houston, April 14, 1836. Carson also says to the Texan commander: "My view is, that you should fall back, if *necessary*, to the Sabine. I am warranted in saying that volunteer troops will come on in numbers from the United States. . . . . . You must fall back, and hold out, and let nothing goad or provoke you to a battle, unless you can, *without doubt*, whip them, or unless you are compelled to fight." Had Houston taken all the advice that was given him, he would have been, in his own language, "in the situation of the ass between the two stacks of hay!"

Americans will never submit to that system. It is my duty to preserve neutrality; and, with that view, I have ordered General Gaines to a position favorable to a speedy execution of the boundary treaty, and to prevent interference with the Indians." As Mexico had at that time her agents among the Indians, and her minister knew that Jackson was aware of it, the last reply was significant.

Though there was much that was not true in regard to the reports of the Indian movements in eastern Texas, there is no doubt but that the savages were collected in large numbers on the frontier, were greatly excited, and that nothing but the defeat of the Mexicans prevented them from making an attack upon the settlements. As it was, they did not disperse without committing an act of barbarism. On the 19th of May, 1836, about nine o'clock in the morning, several hundred of them arrived at Fort Parker, on the head-waters of the Navasoto, about sixty miles above the settlements. The fort was at that time occupied by six men and several women and children. Four other men, belonging to the fort, had gone out to the field to work. The Indians presented a white flag, and sent two of their number to the fort, to say that they were friendly, and desired to treat. One of the inmates, Benjamin Parker, went out to see the main body of the Indians, but soon returned and reported unfavorably. However, he went out a second time, hoping to make peace, but was surrounded and killed. Those in the fort attempted to fly, but the most of them were cruelly massacred, and their bodies mutilated. The fort was then plundered, and the savages retreated, with some of the women and children as prisoners.*

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* Narrative of Rachel Plummer, p. 5. Letter of G. W. Browning, May 23, 1836. Many have read the touching narrative of Mrs. Plummer, and the many wanderings of her father, James W. Parker, in search of his daughter and her son.

We will now return to the Texan cabinet at Velasco. In pursuance of the provisions of the treaty with Santa Anna, the Texan authorities were making arrangements to send their captive to Vera Cruz. Accordingly, on the 1st of June, the dictator and his suite, consisting of Colonel Almonté, Colonel Nunes, and his private secretary Caro, went on board the armed schooner *Invincible*, commanded by Captain J. Brown. Lorenzo de Zavala, the vice-president, and Bailey Hardiman, the secretary of the treasury, being selected as commissioners, under the treaty, to accompany Santa Anna to Mexico, were preparing to embark; but on that day (the 1st of June), General Thomas J. Green, with two hundred and thirty volunteers, arrived on board the steamer "Ocean" from New Orleans. The opposition to the release of Santa Anna, which had been for some time gaining strength, was greatly increased by the arrival of these volunteers. Public meetings were held, and violent speeches made against the measure.* "In this state of things," says General Green, "President Burnet addressed me a note, requesting an interview, and asking my opinion in this emergency. I told him that, as to any violence being offered to him or his cabinet, I pledged my honor to shield him and them with my life; but that I was of opinion that, in accordance with the overwhelming public will of the citizens of the country, he should remand the prisoner ashore, and await the public will to determine his fate. The president promptly replied that he would do so."† Accordingly, he issued an order to Captain Brown to bring the prisoners on shore. Santa Anna, who had gone on board the vessel by order of the government, and on the faith of the treaty which had been solemnly signed by both parties, and who, with the knowledge of the government, had published a short farewell to the Texan army,* positively refused to debark. The president then appointed Messrs. Smith, Hardiman, Hunt, and Henderson, to wait upon the prisoners, make known the will of the government, and bring them ashore. This was accordingly done, and they were landed at the village of Quintana, opposite to Velasco.

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* President Burnet's Address, No. 3.

† Green's Mier Expedition (Appendix No. IX.), p. 484. President Burnet and General Green differ somewhat as to this matter. The former does not state that he called upon the latter for his advice, though this may have been done, without being noticed in the address.

On the same day, but probably after the prisoners had been brought on shore, President Burnet received from certain officers of the army, purporting to act for themselves and the soldiers under them, a strange document. It is proper to state that, on the 11th of May, General Houston had sailed on board the "Flora" for New Orleans, to procure better medical aid and comfort for his wounded limb than could be had in the camp; and that previous to his departure he left an address to the troops on Galveston island and those that should afterward arrive, urging "obedience to the constituted authorities and laws of the country as the first duty of a soldier; that it would adorn his martial virtues, and qualify him for the highest rights of citizenship."† But those who signed and assented to this address to President Burnet, forgetting or disregarding this salutary advice, and while they declared that they abhorred the idea of interfering in the management of the government, assumed to dictate to it, and to claim its control! "We shall not, however, address you," say they, "in that spirit of irritation and indignation which pervades every one in this army, but in the tone which should ever characterize the *intercourse between the ruling parties* in a country."* After setting forth their privations and want of provisions, they continue: "And to whom are we to charge these injuries? Surely to you, as the president of this republic! It was your duty to have paid particular attention to the army; to have inquired out their wants, and relieved them. It was surely your duty to have caused provisions, at least, to have been furnished, and to have dropped all other matters until this was done; and you will not be surprised to learn that the indignation and exasperation of the army is now very great at the total failure to pay attention to them, *and the consequences may be serious if redress is not had.* And we now *require* that this army be immediately furnished with a sufficiency of such provisions and clothes as the public may possess or can be procured. . . . . In conclusion," say they, "we repeat to you, General Santa Anna *must be safely secured*, and placed at the disposition of the coming Congress."

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* Farewell of Santa Anna to the Texan army:—

"MY FRIENDS: I have been a witness of your courage in the field of battle, and know you to be generous. Rely with confidence on my sincerity, and you shall never have cause to regret the kindness shown me. In returning to my native land, I beg you to receive the thanks of your grateful friend. Farewell

"ANTº. LOPEZ DE SANTA ANNA.

"VELASCO, *June* 1, 1836."

† Houston's Address, May 11, 1836.

The poor president! what could he do? The government was as destitute as the army. He doubtless felt grateful to the troops for their heroic services, but the new republic had no treasury, and his private means were limited. "At the time of my visit to Velasco," says Colonel Forbes, "in May, 1836, the president's style and manner of living were most simple. His residence was but little more than a mere shanty. His amiable and accomplished lady, without any servants or hired help, superintended and managed in person her domestic arrangements; and their household and table comforts were sufficiently sparse and limited to have called forth the admiration of the Spartan lawgiver."

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* Address to President Burnet from "Encampment at Victoria," May 26, 1836.

Yet the address in question had been presented to the president—the military had usurped the civil authority. The good faith of Texas, in the first treaty she ever made, was broken and trampled under foot—not by the government, but by the *army*—a matter of painful foreboding to President Burnet. "Landing at Quintana, upon the western bank," says General Green, "we met President Burnet, and surrendered the prisoner to him. The president turned to me and said, 'General Green, I deliver the prisoner over to your charge, and shall hold you responsible for his safe keeping.'"* This is the statement of General Green; but it appears, from a letter written by the president to him on the 1st of July, 1836, that he only requested him to point out a suitable officer to take charge of Santa Anna; and General Green named Captain Hubbell, in whose custody the prisoner was placed by the president.†

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* Mier Expedition, Appendix IX., p. 486.

† Extract from "*El Correo Atlantico*" of New Orleans:—

"VELASCO, *June* 4, 1836.

"We arrived at Galveston on the 30th of May, and on the 2d of June were ordered to repair to this place, where we arrived on the same evening, on board the 'Ocean.' We found the place in great confusion in consequence of the cabinet having sent Santa Anna on board of a vessel to send him home, for the purpose of having a treaty ratified which was made by them. The people were opposed to his going, but had not an individual commissioned to be their leader. On the morning of the 3d instant, I came forward as their leader, and formed my company equipped for service, and sent to the cabinet to have him [Santa Anna] and his suite brought on shore. There was at first some objection, but they at last complied, and I now have him and suite in my charge. He was delivered over to me to-night, and I am at this time on duty with a strong guard under my command. General Cos, and four or five hundred Mexicans, are still on Galveston island as prisoners. "H. A. HUBBELL."

"EXECUTIVE DEPARTMENT, VELASCO, *July* 1, 1836.

"*To Brigadier-General Thomas J. Green:*—

"SIR: I enclose you a copy of a letter found in '*El Correo Atlantico*,' and published originally in the 'New Orleans Bulletin.'

"This redoubtable 'leader' is, I presume, the same you introduced to me as a

On the 9th of June, Santa Anna sent in his protest against the conduct of Texas in breaking the treaty, particularly in respect to his debarkation and reconfinement. On the following day the protest was answered by President Burnet, who, in reference to the last particular, was bound in truth to make the humiliating confession that Texas had not complied with that portion of the treaty, but was prevented by "the influence of a highly-excited popular indignation." The facts were all known to Santa Anna: the Texan government was powerless, and he saw it.*

The interest felt for Texas by the people of the United States, and the material aid by them furnished, were greatly increased through the influence of the distinguished agents sent there. General Austin was particularly successful; his long services [illegible] Texas, and his known truthfulness and simplicity of character, gave great weight to what he said. Though not an orator, he spoke with clearness and judgment, and enforced his positions with facts that were irresistible. His address at Louisville, which was widely published, presented the claims of Texas upon the civilized world for sympathy and aid in such manner as to bring her both.† "Austin is doing wonders among us for his country," says a sensible writer of Virginia; "he is a Franklin in patience and prudence."‡

The changed condition of affairs, however, required other

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confidential officer, to whom the custody of the prisoners might be committed with perfect safety. If he had then been known as the author of the letter enclosed (in which it is difficult to determine whether impudence or falsehood predominates), he certainly would never have borne a commission in the service of Texas, with the approbation of this government. You will please to signify this to Captain Hubbell, whose speedy resignation would be very cheerfully accepted, and would save me the trouble of a more peremptory suggestion.

"Your obedient servant, DAVID G. BURNET."

* President Burnet's Address, No. 5.

† Austin's Address, March 7, 1836. Holly's Texas, p. 253.

‡ Letter of A. M'Call, May 24, 1836.

agents, with power to act upon different matters. The excitement of the 21st of April had scarcely abated on the battle-field, before the desire for annexation to the United States arose in every bosom; and as the victory gave rise to hope, so was the desire strengthened. In accordance with this universal wish, James Collingsworth and Peter W. Grayson were, on the 30th of May, appointed by President Burnet commissioners to proceed to the city of Washington, and obtain access to the executive of the American government, presenting themselves as duly empowered to ask the friendly mediation of that power in procuring the recognition by Mexico of the independence of Texas, and to use their best efforts in obtaining a like recognition on the part of the United States. They were also instructed to state that, in the opinion of the Texan government, the annexation of their republic to the American Union, as a member of that confederacy, would be highly acceptable to the people of the former. And, should the authorities at Washington city appear to listen kindly to those matters, inquiries might be made as to the terms on which they would accept Texas. At the same time the commissioners were to point out what the latter would consider indispensable conditions: 1. Her laws then in force should be respected and held valid. 2. All *bona-fide* land-titles to be held sacred, and all entitled to lands to receive them. 3. Slave-property to be respected. 4. Texans owing debts contracted previous to their immigration, to have a specified time for the payment thereof. 5. Liberal appropriations of land to be made for educational purposes. 6. All forfeitures and confiscations to remain as found by annexation.

It appears that, immediately after the treaty of Velasco was known at Washington city, there was in the American Congress a general feeling in favor of the acknowledgment of Texan independence, and also to have the republic annexed to the Union. General Austin, writing from New Orleans, on the 16th of June, 1836, says: "I shall do all I can to procure the annexation of Texas to the United States, on just and fair principles. . . . . The first step is, a recognition of our independence; that done, the way is clear and open. If *official* reports in manuscript of all the principal facts in regard to the political and military state of things in Texas had been sent by the executive government of Texas to their agents at Washington, I could now have had the recognition of our independence to take home. Nothing but the want of such *official documents* was wanted when I left Washington.* I believe that a report from you, signed by yourself, would have been fully sufficient. There were no accounts of the battle of San Jacinto, except those in the newspapers."

The new commissioners set out on their journey to the United States. The Texan army, having followed the retreating enemy as far as Goliad, collected the bones of those who had been massacred, and buried them with military honors. They then returned to Victoria. General Houston arrived at New Orleans on the 22d of May, and remained until his wound was sufficiently recovered,† when he returned to Texas by way of San Augustine, which point he reached on the 5th of July.

Various speculations were had in Texas as to the value of Santa Anna, and the effect of his detention on the Mexican nation. One thing, however, was beginning to be tolerably clear—that the longer he was kept, the less would be his value to Texas; so that even those who were willing to violate a solemn treaty, began to wish him disposed of. At home, he was but the head of the central party. The federalists, his opponents, the most enlightened portion of the Mexicans, desired anything rather than his return. In his absence, they were every day gaining power. The president *pro tempore*, José J. Corro, made known the captivity of Santa Anna by a proclamation to the nation. He declared that the national grief was immense, but it would not be useless; that, for the liberty of the president, and for the honor of the nation, the government would raise all possible resources. Unabated efforts were made to raise another army. The *pro-tempore* government was in favor of continuing Filisola in the chief command, but the officers clamored for his removal, and the appointment of Urrea. At length, the latter received the command, and made his headquarters at Matamoras. It was understood that troops were to be sent by water to land somewhere on the coast of Texas, and that others were to come by land to concentrate at Matamoras. Accordingly, about the middle of July, four thousand troops under General Urrea, with General Andrade as second in command, had assembled at that town. But they were in a condition so wretched as in every way to render them unfit to march. Most of them were without discipline, and destitute of clothing or provisions. In addition to this, serious domestic troubles were about to begin in the nation. The centralists were trembling on the seat of power; some of the states had already proclaimed in favor of federalism, and others were on the point of doing so; and thus the invasion of Texas was postponed.

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* General Austin left Washington city on the 24th of May. — *Austin to Houston, June* 16, 1836. General Austin concludes his letter thus: "I am of opinion that our independence will be acknowledged, and that Texas will be admitted into these United States, if they are regularly asked for."

† Houston to Lamar, dated New Orleans, June 4, 1836: "My wound has improved. Some twenty or more pieces of bone have been taken out of it. My general health seems to improve slowly. It is only within the last four or five days that I have been enabled to sit up any portion of the day."

To add to the confusion in Mexico, there appeared, about this time, in the capital, a pamphlet, entitled "The Trial of

Santa Anna." It was written with spirit, and arraigned him before the bar of public opinion, setting forth with truthful detail his political career. The following may be given as a specimen: "Don Antonio, like Icarus, in attempting to soar too high, was precipitated into the abyss below. We would ask, who is this protector of religion? A man loaded with vice in all its forms. The particular attribute of religion is charity; it knows not how to cause evil or pain to any one. Nevertheless, Don Antonio has shown himself vicious by instinct! He rose successively against Iturbide, Victoria, Bustamente, and Gomez Farias: no commotion occurred in which he did not take an active part. His aim was always disorder, and for no other purpose than the satisfaction of disturbing the public tranquillity. We have seen him at one time for the Yorkists, and at another for the Scotch. . . . The pretensions of this monster have caused the death of many citizens at Vera Cruz, Tolomé, Oajaca, El Palmar, Puebla, Posados, Casa Blanca, Otumba, Queretaro, Guanajuato, San Luis, Los Carmelos, Zacatecas, &c. At the time of the presumptuous campaign of Tampico, he put to death, without any cause, a number of Mexicans; and now, in Texas, he has given cause to horrible reprisals by his inhuman conduct. If it were possible to pile one upon the other the bodies of the dead, whose untimely end has been promoted by General Santa Anna, they would doubtless form a mountain higher than that of Popocatepetl! —and we would say to his flatterers, '*Behold a monument erected to humanity and the protector of religion!*'"

The very fact that such a pamphlet had a wide circulation in Mexico, or that it was permitted to circulate at all, was evidence of the dictator's declining power. The Texans, however, were preparing to meet the invading force under Urrea. That the enemy were in earnest about a second invasion, there can be no doubt. And, to this end, they endeavored to keep the Texans from obtaining any information of their doings at Matamoras. The commissioners who proceeded there under the treaty were arrested and detained until it was too late for the Texans to prepare for defence. General Rusk, however, was advised of the threatened danger, and issued an order, announcing the advance of the enemy, calling in those absent on furlough, and ordering drafts to headquarters.* Again, on the 27th of June, he issued a stirring address to the people of Texas, summoning them to the field.

It was on the 29th of May that General Rusk ordered Major Isaac W. Burton, commanding a company of mounted rangers, to scour the coast from the Guadalupe to Refugio. The company consisted of but twenty men, though well mounted and armed. On the 2d of June, they received news of a suspicious vessel in the bay of Copano. By the break of day the next morning they were in ambush on the beach, and at eight o'clock a signal was made for the vessel to send its boat ashore, which was promptly answered, and five of the enemy landed from the boat. These were made prisoners, and the boat manned by sixteen of Burton's rangers, who took the vessel—the "Watchman"—loaded with provisions expressly for the Mexican army. The vessel was ordered round to Velasco, but, being detained by contrary winds till the 17th of June, the "Camanche" and the "Fanny Butler," also freighted with provisions for the enemy, anchored off the bar. The captain of the "Watchman" was made to decoy the commanders of the other vessels on board his own, when they also were captured, and all three, with their valuable freights, sent into the port of Velasco and condemned. From these bold achievements, Major Burton and his rangers were known as the *horse-*

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* Order from Victoria, June 17, 1836.

marines. The freight, worth some twenty-five thousand dollars, was of great service in supporting the Texan army.*

Thus passed away the month of June, with little else of a public character to be noted. The Texans, fully persuaded that there would be a renewal of the war, were prepared for it. The enemy essayed, indeed, to recommence it; but, for want of union, means, and, above all, a head, they failed to advance.

General Austin returned to Texas in the first days of July, and visited Santa Anna in Columbia (whither the latter had been taken). The prisoner now made another effort toward an adjustment of the difficulties between the two countries. He proposed to Austin the friendly mediation of the government of the United States,† and, with that view, addressed a letter to President Jackson.‡ In this communication, after giving a pretty correct sketch of recent events, he stated that the home government of Mexico, not understanding matters, had displaced Filisola, and appointed Urrea to the command of the army, who had advanced, as was understood, as far as the Nueces, which had increased the excitement of the public mind in Texas, and the chance of further bloodshed, unless some powerful hand would interpose and cause the voice of reason to be heard; that in his opinion Jackson was the only man who could do good to humanity by acting as mediator in having the treaties carried out. He accordingly called upon him to act as such. At the same time he wrote a letter to Urrea, and gave it as his opinion that the war should at once cease, and that the existing differences should be settled by diplomacy; that Urrea should halt at some convenient place, and proceed no farther; "and then," continued Santa Anna, "I have not the least doubt that so soon as you officially say to the Texan commander that, 'so soon as my person will be in absolute liberty to join you, then you will retreat beyond the Rio Grande, and cease hostilities,' I shall effect my departure to join you, and proceed on my way to the capital." He further stated to Urrea that he need not regard the orders sent from Mexico; for that, as soon as he received his liberty and reached the capital, he would hold him harmless. This was an ingenious thought, and seemed to carry with it some idea of sincerity.

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* "Telegraph," August 2, 1836.

† Burnet to Collingsworth and Grayson, July 8, 1836.

‡ Santa Anna to Jackson, July 4, 1836.

At the same time, General Austin wrote to General Houston, stating that it was very desirable that General Gaines should establish his headquarters at Nacogdoches, and recommended Houston to use his influence for effecting that object. "And," continued he, "if he would visit this place, and give the people assurances of the good faith of Santa Anna"—that is, if he was satisfied of the fact after seeing him—he (General Austin) thought it would have a decided influence in paving the way to end the war.*

General Houston received this letter at Sublett's, on the 25th of July, and referred it to General Gaines, merely adding that such a step would save Texas. The letter from Santa Anna to President Jackson was transmitted through General Gaines; and, in order that the Texan agents at Washington city might be properly advised, copies of the public and secret treaty were sent to them. They were also put in possession of the movements of the Indians; and General Gaines was likewise fully advised of their employment by the Mexicans as auxiliaries in the war.† General Houston again addressed

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* Austin to Houston, July 4, 1836.

† Burnet to Collingsworth and Grayson, July 8, 1836.

General Gaines on the 13th of July, enclosing the statements of P. J. Menard and Miguel Cortimas, in relation to the hostile movements of the Indians.

In the meantime, General Gaines, induced by these threatened hostilities, made a second requisition upon the southwestern states for volunteers. The enemy at Matamoras had made three attempts to advance upon Texas, but, for some cause, had as often failed. The failure was said to have been occasioned by desertions. It is probable that the letter of Santa Anna to Urrea had some effect upon these operations. Urrea dared not obey any order coming from him; yet he did not know how soon Santa Anna might regain power, and he was afraid to disoblige him.

The Texan army, now grown to twenty-three hundred strong, was likely to get into great confusion. Having at that time but little to do, each one was engaged in his own projects. General Houston, yet at Nacogdoches, could only give his advice by letter. General Rusk doubtless did what he could to preserve order; but there were too many who wished the command. An eye-witness says, "There were very few above the rank of captain who did not aspire to be commander-in-chief!" To add to the confusion, the executive and cabinet, about the first of July, appointed Colonel Mirabeau B. Lamar major-general of the army. He reached headquarters on the 14th of that month. The account of his reception we give from General Felix Huston, who had shortly before arrived with a considerable force:—

"I arrived at the army on the 4th of July. I had no acquaintance with General Rusk, or any of the officers, except Adjutant-General Smith, Colonel Millard, and Captains Millroy and Wiggington, all of whom I had known but a day or two. I mention this to show that I was detached from the intrigues of the army, even were I capable of entering into the disgraceful contests for office, which are so often the bane of order and discipline.

"A few hours after my arrival I was waited on by an officer, who requested me to act as chairman of a meeting of officers, convened for the purpose of determining on the reception of General Lamar. I accepted the appointment. At the meeting many suggestions were made, and I obtained much information that was new to me. All present appeared to estimate General Lamar highly, but were disposed to reject him as commander-in-chief, upon the grounds that the cabinet had no right to supersede General Sam Houston, and because they would not consent to the destruction of General Rusk, which they deemed to be the object of the cabinet in making the appointment. Seeing the disposition of the officers, and having a high opinion of General Lamar from character, I suggested the propriety of appointing a committee to draft resolutions, as respectful as possible to him. The suggestion was adopted, and I was added to the committee. When the committee met, I exerted my influence to have the resolutions so drawn, that General Lamar's feelings should not be wounded; that he should see that the objections to his appointment were not personal to him, but that, on the contrary, all the officers esteemed him highly. The committee adopted my plan. . . . General Rusk had no connection whatever with the meeting or resolutions.*

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* "*Resolved*, That this meeting highly appreciate the gallantry and worth of General Lamar, and will be at all times ready to receive him with the cordiality and respect due to his personal and military acquirements.

"*Resolved*, That Colonel B. F. Smith and Colonel H. Millard be appointed a committee to wait on General Lamar, and tender him the respects of this meeting, and inform him that, there being some question of the propriety of his appointment by the president as major-general of the Texan army, by which he is directed to assume the chief command of the army, he is requested by the offi-

"When I ascertained that General Lamar was approaching the camp, I sent two officers to wait on him with the resolutions. Previous to their starting, General Rusk had ordered the usual salutes to be fired for his reception. On their returning and informing me that General Lamar acceded to the proposition, I countermanded the order for firing the salutes, without consulting General Rusk. When General Lamar arrived in camp, he was cordially received; and I hoped he would consult with the officers, and that the matter might be amicably settled: but I soon understood that he determined to lay the subject of his reception before the whole army, and take their vote. Accordingly, at his request, the army were paraded in the evening by General Rusk. After the square was formed, General Rusk presented him to the army in almost these words: 'Fellow-soldiers, I have the honor to present to you Major-General Lamar, appointed by the cabinet.' General Lamar then addressed the army, and recounted his deeds in a glowing form. He stated that he had fought in the ranks, &c.; that he was about returning to the United States, when the late news of the returning enemy—the Mexicans—reached him; that he immediately determined to return to the army, when the cabinet, unsolicited by him, had conferred on him the office of commander-in-chief; that, on his arrival in camp, he had learned that there were some objections, by some of the army, to his appointment; that he was not ambitious of the office—he did not desire to wear tinsel on his shoulders; that the voice of man made generals, but God made heroes, &c. And he repeatedly stated that if his appointment was not acceptable to the army, he would cheerfully go into the ranks

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cers present not to act in his official capacity of major-general until the subject may be more maturely considered by the meeting of the officers of the army."

and fight by their sides, and lead the van to victory, guided by the flash of his sword.

"From some remarks made by General Lamar, General Green appeared to think that some allusion was made to him! and he addressed the army in a short manner, stating that he thought that General Sam Houston was the proper commander-in-chief; and he said something about the impropriety of the cabinet making the appointment over the head of General Rusk, who had the confidence of the army and the people. General Lamar replied, in an excited manner, that he did not disclaim the desire of being commander-in-chief; and made some remarks about some letters of General Rusk to the cabinet, requesting a major-general to be appointed.

"After General Lamar concluded, General Rusk addressed the meeting, and complained that, when the army was reduced to three or four hundred men, when it was dispirited by the loathsome office of gallanting a defeated enemy from the country, &c., he had written to the president, advising the appointment of a major-general, that the army should be increased, as the Mexicans were retiring, induced by their pay, and that the war was not at an end, &c. He said that his expectation then was, to visit his family, and attend to his private affairs; but that, when the enemy were expected to return in force, when the army was increasing rapidly, and when it would be disgraceful for him to abandon his post, his letters, written under different circumstances, were used as the pretext for making the appointment, &c.

"After these speeches, there were a great many calls by the troops—a few '*Lamar!*' a number '*Rusk!*' and a great number '*Houston!*' Some few called out *particularly* for me. I advanced, and stated that I was aware that the great mass of the calls for '*Houston*' were intended for *Sam* Houston, the true 'commander-in-chief;' that I had no pretensions to the command, and, in a jocund manner, observed that the only gauntlet thrown which I would take up was the remark of one of the generals, that he would lead the van—that, so long as my name was *Felix* Huston, I would lead the van.

"Thus ended the speeches. After a little delay and some confusion, I applied to General Lamar, and asked him how he would have the question put; and told him I would put it to the army as he desired. He then stated the question, 'Were the army willing to receive him as commander-in-chief?' I ordered silence, and stationed two officers for the voters to form on, and put the question in these words: 'Those who are in favor of receiving General Lamar as commander-in-chief of the army, will form on Major Ward, stationed on my right; and those opposed to receiving General Lamar as commander-in-chief of the army, will form on Colonel Morehouse, stationed on my left.' When I stated the question, Major Handy, acting as aide to General Lamar, observed that he did not think the question was stated as General Lamar desired. I requested him to see General Lamar. He did so, and said that I was right. At that time another gentleman rode up, and said to me that General Lamar did not know whether it was understood in his speech that he would only hold the appointment temporarily, until the arrival of General Sam Houston, and wished I would so state, which I did, turning to the different parts of the army, repeating his request, and the question, and asking if they all understood me. I then gave the word—'*March!*' The tellers whom I had appointed reported one hundred and seventy-nine votes for General Lamar; and, as there appeared about fifteen hundred votes against him, I stated it was not worth while to count them.

"On the next day I was informed Lamar intended to insist on the command. I waited on him, in company with General Green. In the course of the conversation, General Lamar stated that General Sam Houston, by leaving Texas, had forfeited his station as commander-in-chief. General Green stated that he understood that he was absent on a furlough for three months. General Lamar said he was not aware of such being the case; and if so, he would have known it, as he was secretary of war when General Sam Houston left. During the next day I understood that General Lamar had commenced acting as commander-in-chief, and had signed a furlough under that title. The camp was in great agitation: many persons commenced leaving it. I felt great uneasiness, and expressed a fear that serious difficulties might take place. This state of affairs lasted till General Lamar had a meeting of the officers called. He addressed them, and I understood him to refer it to them whether he should resign or not. After a pause, and some remarks of General Green and Major Miller, he signified his intention to retire. On the next day he left the army."

CHAPTER VII.

At this period, the credit of Texas was in low repute. By some, her bad credit was attributed to her agents; by others, to different causes. It is probable that the chief cause of her want of credit, next to her poverty, was the appointment of the Messrs. Toby and brothers as principal agents, in lieu of others who perhaps had been more faithful. This appointment, too, was made after they had failed in New Orleans for a considerable amount. It is due to the government to say that it was not apprized of the failure.* Texas had a large army to support, a growing navy, and also a civil list, and an empty treasury. The practice of impressment had grown so burdensome, that it had exhausted itself. The people had raised scarcely any crops, and they had but little property: hence it became necessary, either to stop the impressments, or ruin the citizens. The former course was taken by President Burnet, in his proclamation of the 14th of July, 1836, and also by an order of General Houston.

As the enemy did not advance, and the Texans had a considerable force—able to defeat five times their number at home—it was proposed to attack Matamoras. Detachments were accordingly sent out to Bexar and the Nueces, and efforts were made to procure vessels to transport troops, munitions, and provisions, by water, to Brasos Santiago, to co-operate with the force proceeding by land. The better to commence this enterprise, the army advanced to the Coleta.

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* Letter of Samuel Ellis, July 5, 1836.

General Houston, being advised of this contemplated expedition, opposed it for the reasons that, without an efficient navy and more ample means, an invading army could not sustain itself in Mexico; and, what was more important to the good faith of Texas, General Santa Anna had invoked the mediation of the United States, and the Texan authorities had concurred in laying the matter before President Jackson.*

After the unpleasant affair in relation to the commandancy-in-chief, many of the troops retired from the service; so that, by the 2d of August, the number was reduced from twenty-three to thirteen hundred men.† In this state of affairs, for want of means, the co-operation of the cabinet, as also of the navy, the descent on Matamoras was abandoned. It is probable that the army was not in possession of the fact of the proposed mediation of the United States, or it would have concurred more fully with the cabinet. General Houston, who was still at Nacogdoches, and as yet unable to perform active service, was loudly called for by the army. Numerous letters and petitions were sent to him by officers and men, desiring his presence. It is not improbable, however that his services where he was were very useful to Texas. Being in full possession of the knowledge of passing events, he transmitted it, with his views, not only to the army, but to General Gaines.

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* Edmund P. Gaines to Sam Houston, August 12, 1836. General Gaines says: "Your views, urging the propriety of concentration within supporting distance of the settled parts of Texas, and pointing out the inevitable and worse than useless risk of operations upon Matamoras, or upon any other part of your western frontier, without a superiority of naval force, evince an extent and a justness of reflection, comprehension, forecast, and military mind, which, if sustained, can not but insure triumph — complete triumph — to the cause of Texas."

† Letter of General Felix Huston, August 2, 1836.

To carry out more effectually the provision contained in the thirty-third article of the treaty between the United States and Mexico, General Gaines sent a detachment of American regular troops, under the command of Colonel Whistler, to take post near the town of Nacogdoches. This had the effect to overawe the surrounding tribes of Indians (the most of whom were immigrants from the United States), and left the people of eastern Texas free to meet the threatened invasion by the Mexicans.

In the meantime, and upon receipt of official news of what had occurred in Texas, the Congress of the United States had taken up the question of the acknowledgment of the independence of the new republic. President Jackson had despatched Henry M. Morfit to Texas, to ascertain and report upon her military, civil, and political condition.* After some discussion in the house of representatives, it was resolved by a large majority that the independence of Texas ought to be acknowledged by the United States, whenever satisfactory information should be received that it had in successful operation a civil government capable of performing the duties and fulfilling the obligations of an independent power.† That body likewise approved the step taken by the president to acquire that information.

By the middle of August, the Texan army had again increased to its former strength. Brigadier-General Felix Huston occupied San Patricio, on the Nueces, with five hundred mounted men. Two companies, also mounted, were at Bexar, rather to protect that place from the incursions of the Indians than against the Mexicans. The remainder of the army, under

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* Message of President Jackson, December 21, 1836. See Morfit's Reports, Executive Document No. 35, Twenty-fourth Congress, second session.

† Passed on the 4th of July, 1836, by a vote of one hundred and twenty-eight to twenty.

General Rusk, was on the Coleta, about fifteen miles east of Goliad. The Texan navy consisted of the *Invincible*, carrying eight port-guns and one pivot nine-pounder; the *Brutus*, of like force; the *Independence*, of eight guns; and the *Liberty*, of three guns, undergoing repairs.

Santa Anna was removed to Columbia, and thence, about the first of August, to Orazimba, on the Brasos, about forty-five miles from Velasco.* This removal was made to prevent his rescue, as, but a short time before, an attempt of that kind had been made by the Mexican consul at New Orleans, through the instrumentality of Bartholomew Pagés. The Texans still retained about fifty officers and five hundred privates of the enemy as prisoners in and about Galveston island, the support of whom was a heavy burden upon the young republic. With the small naval force on hand, the ports of Matamoras and Brasos Santiago were blockaded, and the enemy annoyed and overawed. Thus, upon the whole, the affairs of Texas were prospering; and, further to brighten her hopes, the season was most propitious to the planter, so that, under all the circumstances, good crops were produced in those parts of the country not previously overrun.

On the 23d of July, President Burnet issued his proclamation for the election of president and vice-president, and for representatives to the first Congress of Texas, under the new constitution; also to decide upon the adoption or rejection of that constitution; and likewise upon the question of annexation to the United States. The election was ordered to transpire on the first Monday of the following September, and the new government to meet for installation at the town of Columbia, on the first Monday in October. For the high office of president, two distinguished names had been announced: Stephen F. Austin, a man endeared to the country by years of toil, privation, and faithful service; and Henry Smith, the former governor of revolutionary Texas. On the 20th of August, Sam Houston was nominated by more than six hundred persons at Columbia;* also by a large meeting at San Augustine, on the 15th of August; and by other assemblages in various parts of the republic.† The public wish on that point was so manifest, that he had no alternative but to accept. His reasons for so doing are given by himself: "After the capture of Santa Anna," says he,‡ "I was compelled to go to New Orleans, in the month of May, for surgical as well as medical aid. On my arrival, I met a number of Texans there, and they requested me to become a candidate for the presidency. This I positively refused to do. From that time up to within fourteen days of the election, I refused to let my name be used, nor would I, if elected, consent to serve in the office. General Austin and Governor Smith were the candidates, and with these gentlemen my relations were most kind. It was not a desire to obtain the office of president which ultimately caused me to let my name be used; but, there were two parties in Texas, which were known as the '*Austin*' and '*Wharton*' parties. I intend no disparagement to either of the distinguished gentlemen or either of their friends, but it is necessary thus to describe the condition of the political elements then in Texas. Governor Smith was the ostensible head of the 'Wharton' party. So far as I could judge, the parties were pretty equally balanced. In this posture of affairs, I was firmly impressed with a belief that, if either of the gentlemen should be elected, it would be next to impossible to organize and sustain a government; as, whoever he might be, he would be compelled to fill all the offices with his own friends, and those of opposite feelings would, of course, oppose the administration, which, in the then condition of the country, could only be sustained by the united efforts of the community. Not being identified with either of the parties, I believed I would be enabled so to consolidate the influence of both, by harmonizing them, as to form an administration which would triumph over all the difficulties attendant upon the outset of the constitutional government of Texas."

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* Morfit to Forsyth, August 13, 1836.

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* "Telegraph," August 23, 1836.

† Ib., August 30, 1836.

‡ Letter to Guy M. Bryan, November 15, 1852.

It will be remembered that, at that time, the majority of the people of Texas was composed of immigrants from different portions of the civilized world; and that she had in her midst very many enterprising adventurers, whose ambitious pretensions were not checked by that local patriotism which restrains such persons in countries long settled. The army was proportionably large, and the most of its members had come to reap fame and distinction. The elements, though calm, were not cohesive. A single spark would inflame the entire body. Hence the organization of the new government would require a *palinurus*, who was ever watchful, at the helm. The election resulted in the choice of SAM HOUSTON as president by a large majority, and MIRABEAU B. LAMAR was elected vice-president. The constitution was also adopted, and the vote for annexation was nearly unanimous.

It is proper to state here a movement in the army, consequent upon the attempt of Pagés to rescue Santa Anna. It was the wish of many, and was generally reported, that, by a vote of that body, it was resolved to conduct the captive to headquarters, and place him before a court-martial. General Houston, then at Aes Bayou, being informed of these alleged proceedings, despatched his protest against them.* He protested against it, because all the advantages accruing to Texas by his capture would thus be destroyed; because Texas was bound by every rule of morality and humanity to abstain from every act of passion or inconsiderateness, so unproductive of positive good; because it would endanger the lives of the Texan prisoners then in Mexico, and it would compromit the safety of the North Americans resident in that republic; because Texas, to be respected, should be considerate, politic, and just, in her actions, and Santa Anna would be of incalculable service to her in her then present crisis; because, in cool blood, to offer up the living to the manes of the departed, only found examples in the religion and warfare of savages; and because, as the attention of the United States was then called to the pending differences between Texas and Mexico, to proceed at that time to extreme measures would be treating the American government with great disrespect. The protest, reaching the

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* Protest of July 26, 1836. In regard to this protest, General Gaines says: "No inconsiderable portion of your fame, resulting from your late campaign,

the great victory of San Jacinto, will be found in the magnanimity and moral courage displayed by you in preserving the lives of your prisoners, and more especially the life of President Santa Anna, when taken in connection with the great provocation given in his previous conduct at the Alamo and at Goliad. The government and infant republic of Texas will derive imperishable fame from their and your forbearance and humanity in this case. All civilized and enlightened men, in all time and geographical space, will unite in filling the measure of glory and honor due for such magnanimity, forbearance, and humanity."—*Gaines to Houston, August* 3, 1836.

On the same subject General Jackson says: "I take the liberty of offering a remark or two upon a report which is current here, that Santa Anna is to be brought before a military court, to be tried and shot. Nothing now could tarnish the character of Texas more than such an act as this. Sound policy as well as humanity approved of the counsels which spared him his life. It gave possession of Goliad and the Alamo without blood, or the loss of any portion of your army. His person is still of much consequence to you. He is the pride of the Mexican soldiers, and the favorite of the priesthood. While he is in your power, the difficulties of your enemy, in raising another army, will continue to be great. The soldiers of Mexico will not willingly march into Texas, when they know that their advance may cost their favorite general his life. Let not his blood be shed, unless imperious necessity demands it as a retaliation for future Mexican massacres. Both wisdom and humanity enjoin this course in relation to Santa Anna."—*Jackson to Houston, September* 4, 1836.

army, was sent to Columbia. A captain with his command had, just before its arrival, gone, as was said, after the prisoner, to bring him to the army; and the protest only reached Captain Patton, who had the captive in charge, in time to prevent his removal. Captain J. H. Sheppard, the bearer of the document, says the pleasant change of affairs filled Santa Anna with joy, and he embraced him as one who had saved his life.*

The Mexicans still slumbering in their quarters at Matamoras, and endeavoring by a forced loan to raise means to carry on the war, the Texans began to turn their attention to more peaceful concerns. Immigrants and land-buyers began to come in. New settlements and new towns also began to spring up and gladden the wilderness. Among the latter was the town of *Houston*. The Messrs. A. C. Allen and J. K. Allen, proprietors, having laid off the place into lots, presented them for sale on the last of August, and, with an enterprise worthy of the future mart of a large portion of Texas, went to work in building a saw-mill, hotel, &c., and in encouraging steamboats to make it a place of business. Exclusive of her natural advantages, Houston owes much to these early pioneers.

Nor should we omit, in speaking of the progress of Texas, to refer to her first permanent newspaper, "The Telegraph." It was commenced at San Felipe, about the 10th of October, 1835; and remained there, issuing a number weekly, until the advance of the Mexicans forced it to retreat to Harrisburg. There it set up again, and issued a number on the 14th of April, 1836, when it was borne down and its materials destroyed by the enemy. On the 2d of August following, it reappeared at Columbia. Since that time it has been regularly published. Texas had no better or more useful friend during the dark period of her Revolution. On the great points of difference between the two countries, and the movements of armed parties, it spread light and information over the whole country. By means of this potent lever, the government was greatly aided, and Texas made free.

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* Captain Sheppard's Notes.

General Houston, after taking proper measures to conciliate the Indians, and sending a request to the chiefs to meet him at Robbins's ferry, on the Trinity, on the 26th of September, left Nacogdoches for Columbia. He arrived at the latter place on the 9th of October, and found the first Texan Congress in session. The message of President Burnet, which was delivered on the 4th, is an important state paper, and presented to the people's representatives an animated account of his administration, with suggestions for their future action. The report of the auditor exhibited an audited indebtedness of upward of a quarter of a million of dollars. If to this be added nearly a half-million due for supplies, over a half-million pay due the army and navy, and a hundred thousand dollars for the civil list, the total indebtedness of Texas at the meeting of the first Congress was not far from a million and a quarter of dollars.*

The population of the young republic, at that time, did not perhaps exceed thirty thousand Americans, and twenty-two thousand Mexicans, Indians, and negroes.† Thus we behold

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* Morfit to Forsyth, September 4, 1836.

† Estimated population of Texas in September, 1836:—

ANGLO-AMERICANS	30,000
MEXICANS—at San Antonio, 2,000; Nacogdoches, 800; La Bahia, 500; Victoria, 120; and San Patricio, 50	3,470
INDIANS—Wacoes, 400; Twowokanies, 200; Tonkawas, 800; Cooshatties, 350; Alabamas, 250; Camanches, 2,000; Caddoes, 500; Lipans, 900; small bands, 800; to which add the civilized tribes—Cherokees, Kickapoos, Choctaws, Chickasaws, Potawatamies, Delawares, and Shawnees—8,000	14,200
NEGROES	5,000
Aggregate	52,670

Morfit to Forsyth, August 27, 1836.

a country, larger than most of the leading states in Europe, more fertile than any of them, and with a most congenial climate, so torn by the ravages of war, and trampled down by the iron heel of tyranny, that, for a century and a half after its first settlement by Europeans, it has made little or no progress. But a better fate awaits Texas. As yet, however, all was confusion; the people had not become located, and the channels of travel and trade were not determined. Galveston island, since the departure of Lafitte, had been a sunny solitude. At the time of which we write, and for some months previous, the eastern end of the island was occupied by a hundred Texan troops, under the command of Colonel Margan, where they had hastily thrown up a mud fort, and mounted a few pieces of artillery. They had charge of the Mexican prisoners, and the whole occupied some hundred tents and huts around the fort.[*] How changed the scene in eighteen years, when the freebooters of Christendom had gathered there under the great Lafitte, and were waging war by land upon the Carankawaes, and by sea against everybody! But Galveston was ambitious, and sent Mr. Millin to represent her interests in the first Congress. That body, however, could not find Galveston among the districts entitled to representation, nor could they find that it formed a portion of any particular county, and so Mr. Millin was dismissed.[†]

On Saturday, the 22d of October, President Houston was duly installed into office, and delivered to the two houses in convention an inaugural address admirable alike in manner and matter. At the close of his address, he delivered to the speaker his sword, the emblem of the military authority with which he had been clothed, and said: "It now becomes my duty to make a presentation of this sword, the emblem of my past office. I have worn it with some humble pretensions in defence of my country; and should the danger of my country again call for my services, I expect to resume it, and respond to that call, if needful, with my blood and my life." At the same time, Vice-President Lamar was sworn into office, and addressed the convention of the two houses in his usual happy manner.*

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[*] Morfit to Forsyth, August 23, 1836.

[†] House Journal, First Congress, p. 92.

It is not intended here to enter into a detail of the proceedings of the first Congress of Texas. Its duties in organizing the government were sufficiently arduous, and it is believed the members performed them with a singleness of purpose rarely found in legislative bodies. The president was authorized to appoint his cabinet, and, in so doing, the office of secretary of state was given to Stephen F. Austin, and that of the treasury to Henry Smith. The volunteers and forces in the army, and who had been in the service, were amply provided for in lands and the promise of pay. To raise funds for meeting the public wants, the president was authorized to contract a loan of five millions of dollars. The judiciary, a much-neglected branch of government, was fully organized, and judges were elected for the supreme and subordinate courts. Previous to this period there had been but one *nisi prius* common-law judge in Texas. This office had been created and filled by the government *ad interim*, by the appointment of Benjamin C. Franklin, who had the honor of being the first judge in Texas with common-law and maritime jurisdiction.† Provisions were also made for an increase of the navy; for the protection of the frontier, by calling out rangers, erecting blockhouses, &c.; also for defining and paying the civil list; also the establishment of regulations for the government of the army and navy; also for the reorganization of the army, and fixing the military establishment of the republic. These, with an organization of the postoffice department, and the enactment of various special and police laws, constituted the labors of the first session of the first Congress; after which the two houses adjourned, to meet again on the first Monday in May, 1837, at the new town of Houston, to which place the seat of government had been removed by a law of the session.

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* House Journal, First Congress, p. 84.

† President Burnet's Message, October 4, 1836.

The Mexican government, after receiving intelligence of the capture of Santa Anna and his treaty with Texas, notified the United States that his functions as president were suspended. President Jackson, therefore, on receipt of Santa Anna's letter, and in answer thereto,* after expressing a great desire for the restoration of peace between Mexico and Texas, informed the dictator that the government of the United States had been notified of his suspension, and that good faith to Mexico forbade him from taking any step in the matter; but if the latter power would signify its willingness to avail itself of the good offices of the United States, it would afford them great pleasure to devote their best services to it.

But differences had arisen between the United States and Mexico, which prevented the latter from asking any such favor. The former had large and long-standing unadjusted claims against the Mexican government, which ought to have been paid. On the 20th of July, 1836, the American minister at Mexico was directed to lay these claims anew before that government, and, if no satisfactory answer was received within the space of three weeks, then to declare to the government that, unless those claims were adjusted without unnecessary delay, his further residence there would be useless. If the matter was still delayed, the minister was directed to give the government two weeks' further time to make a satisfactory answer, before he asked for his passports. Mr. Ellis, in obedience to his instructions, after presenting the claims, finally, on the 4th of November, gave the two weeks' notice; when, no satisfactory answer having been returned, he demanded and received his passports.

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* Jackson to Santa Anna, September 4, 1836.

On the part of Mexico, she had taken great offence at the occupation of Nacogdoches by the American troops. Gorostiza, the Mexican minister at Washington, had been favored with frequent conferences on the subject. He was referred to the thirty-third article of the treaty between the two powers, whereby each of them was bound, by all the means at its command, to preserve peace and harmony among the border tribes of Indians; and, the better to attain that object, both parties bound themselves expressly *to restrain by force* all hostilities and incursions on the part of the Indian nations living in their respective boundaries, so that the Indians on either side of the border should not be permitted to attack the Indians or citizens on the other side. Gorostiza was also informed that the Indians west of the supposed boundary, and on the "*neutral ground*," were assuming a warlike and dangerous attitude; that Mexico was not there with her forces to keep them quiet, nor had she the ability to do so, as her troops were driven by the Texans west of the Rio Grande; and it became necessary that the United States should assume an advanced position, temporarily, and for her own defence. And the president further stated that he seriously doubted the sufficiency of the causes assigned by General Gaines to justify the removal of troops to Nacogdoches.* Nevertheless, this did not suit the policy of Mexico, as she desired to employ the Indians against

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* President Jackson's Message, December 6, 1836.

Texas, and, while the American troops remained at Nacogdoches, she could not do so. On the other hand, the presence of those troops at Nacogdoches secured the eastern Texans against the savages, enabling them to leave their homes and go to the defence of their country. Gorostiza, therefore, abruptly left his post on the 15th of October, 1836, and all diplomatic intercourse between the two countries was consequently broken off.

The Mexican authorities had used all their efforts to effect a second invasion of Texas, but domestic troubles and want of means prevented. At length, Urrea, on account of his leanings toward *federalism*, was removed from the command of the army, and General Nicholas Bravo appointed in his stead. Great efforts were made by the authorities to convict Filisola; but his conduct in retreating, and thus saving the lives of so many prisoners, as was believed by the masses in Mexico, made him popular with them. Since the capture of Santa Anna, a gradual change had been going on in the confederacy; and, in December, General Bustamente returned from his exile in France, and his friends proclaimed him a candidate for the presidency, at the election to be held on the first of the following March.

The year 1836 did not close in Texas without serious bereavements. On the 15th of November, Lorenzo de Zavala, the late vice-president, died at his residence on the San Jacinto. His life had been eventful and useful. Providence had cast his lot in a land of revolutions and of blood, but at all times and under all circumstances he had been a constant and ardent lover of liberty and humanity. His remains lie in a free country, and his name will be remembered while that freedom endures. As misfortunes seldom come alone, on the 27th of December, Stephen F. Austin also died. His remains, followed by the officers of the government and a large concourse of citizens, were placed on the steamer "Yellowstone," at Columbia, and conveyed to Peach Point. On arriving at the Point, the procession was met by a portion of the first regiment of infantry, when suitable funeral honors were paid to the distinguished dead. By order of the government, the army and navy were put in mourning, and minute-guns were fired, in token of the nation's grief. That nation has erected no monument to the memory of Austin; but this he did himself, while he lived, in laying the foundation of a great state, and building it up on principles of moderation and freedom. Austin lived to see his work completed—his country free, prosperous, and happy. His history is a noble lesson to those who, by patience, toil, and enterprise, would do a great and good work.*

President Houston, after his induction into office, visited Santa Anna in his prison. He treated him with great kindness, while in confinement and made his condition more comfortable. They had a long and free conversation on the subject of the differences between their respective countries,† and many plans were suggested for their adjustment. Houston at length, being satisfied that any further detention of Santa Anna would add nothing to the interests of Texas, by consent of the prisoner, placed him and Colonel Almonté in the custody of George W. Hockley, inspector-general of the army, with

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* General M. B. Lamar long since promised the public a life of Austin. Such a work has been greatly needed in Texas. It is believed that a writer of General Lamar's fine abilities, with the aid of the private papers of the deceased, would do ample justice to his memory.

† After Santa Anna visited Washington city, it was currently reported, and by many believed, that he had made a treaty with President Jackson, by which Texas was ceded to the United States. As it is probable there was not a word said by either of them on that subject, the rumor must have had its foundation in Santa Anna's letter, of the 5th of November, to President Houston. See Appendix No. VI.

Colonel Barnard E. Bee and Major William H. Patton as an escort, and gave instructions to conduct them to Washington city.* Santa Anna desired to take that route on his return to Mexico, as it would be most safe to his person. The party immediately set out, and arrived at Washington city on the 17th of January, 1837.† Santa Anna was received with great kindness by President Jackson, had several friendly interviews with him, and while there spoke as freely in favor of Texan independence as he had done in Texas. He remained in Washington till the 26th of January, during which time he dined with the president and his cabinet, and had his portrait taken by the painter Earl. Leaving the capital, he "embarked at Norfolk in the '*Pioneer*,' a public vessel provided for him by the president," and sailed to Vera Cruz. On arriving there, he was coldly received: "None but a few curious loungers met him on the mole; no array of troops met the commander-in-chief." He retired to his country-seat of *Mango de Clavo*, about twelve miles distant from Vera Cruz, where he waited patiently (as he had often done before) the troubling of the waters.‡

The Texans had detained Santa Anna too long; the power of their captive was gone in his own country. At the presidential election in Mexico on the first of March, 1837, of sixty-nine electoral votes, Santa Anna received but two! Bustamente, the late exile, was chosen by an overwhelming majority. Santa Anna, however, did not despair, but returned to his country-seat, and prepared his famous *manifesto*, in which he unsaid much that he had declared while a prisoner; but one thing he had resolved—and in that he was most sincere—never again to set his foot on the soil of Texas.

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* Houston's order to Hockley, November 20, 1836.

† Hockley to Houston, January 20, 1837. The Texan Congress had declared in favor of a still further detention of Santa Anna, but it did not meet with the executive approval. —*Journal of the House*, 1836, p. 144.

‡ "Democratic Review," 1838, p. 314.

It is proper here to state that President Houston appointed General Rusk to a seat in the cabinet,* which left the command of the army in the hands of General Felix Huston. On the 22d of December, the Texan Congress, by a joint resolution, requested the president to open a correspondence with General James Hamilton, of South Carolina, to ascertain if he would accept the command of the Texan army. In the discussions in that state, touching the independence of Texas (which Governor M'Duffie strangely opposed), General Hamilton had shown himself a warm friend of the infant republic. In the reorganization of the army, provision was made for one major-general; and the government of Texas desired to manifest its gratitude to her distinguished advocate in that chivalrous old commonwealth for his noble services. The president lost no time in making known to him the wish of the new republic, with the expression of a hope that he would accept the high position, and be in Texas by the first of March, as a formidable invasion was anticipated.†

At the close of 1836, the Texan army consisted of about seven hundred men enlisted for the period of the war, and eighty who had six months longer to serve. The troops had neither flour nor bread; beef-cattle there were in abundance on the prairies, but no horses in camp to drive them up. They had likewise a good supply of ammunition, but were without flints.‡

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* General Rusk shortly afterward resigned, in order to attend to his private affairs, which had been much neglected during his long absence in the public service.

† Houston to Hamilton, December 31, 1836. Duplicate, February 11, 1837. Circumstances of a private nature prevented General Hamilton from accepting the appointment.—*Hamilton to Houston, February* 16, 1837.

‡ General Felix Huston's official despatch, December 16, 1836.

The Mexicans had again increased their forces in and about Matamoras. At the latter point there were thirteen hundred and thirty-five infantry, six hundred and seventy cavalry, and four hundred chained convicts, ready to be distributed among the several companies. They had twenty-eight pieces of cannon and two mortars. There were also *en route*, from San Luis Potosi, one hundred and fifty cavalry, three hundred infantry, and four pieces of artillery. Besides these forces, there were at Saltillo twenty-five hundred men of all arms, and at Laredo one hundred and fifty cavalry—making in all an aggregate of over five thousand troops, ready to invade Texas.* Yet it was believed by many that the object of the Mexican government was rather to present a hostile appearance, and thus prevent the United States from recognising Texas as an independent state, than to invade the Texan settlements. The troubles in the interior of Mexico between the *federal* and *central* factions guarantied the peace of Texas. In fact, she was in a poor condition to meet the enemy. The situation of her army has already been stated. This condition was not owing to the fault of the government, but to the want of credit. She had relied upon the sale of her land-scrip to meet her pressing wants, until some portion or all of the five millions loan could be realized, or until her revenues should replenish her empty coffers. This scrip, passing through the hands of the Messrs. Toby and brothers, of New Orleans, had failed to answer the intended purpose. This was partly charged to the agents. Drafts drawn on them were accepted, payable "*when in funds.*" These payments were procrastinated; the drafts were hawked and peddled through the city, until the credit of the republic was sunk to its lowest ebb. The Texan vessels-of-war were lying idle for want of funds; the recruiting-service was inactive; and the president was compelled to bind himself personally for the payment of beef to feed the army![*] The post at Galveston island—important, as having in charge so many prisoners—was in a starving condition; so likewise were those prisoners transferred to Anahuac. To provide for themselves, they made forays upon the cattle along the coast, in Liberty county. Many of the owners of these cattle had never been on the best terms with the Texan authorities, but had rather opposed the Revolution. Consequently, these arbitrary drafts upon their stock soon exhausted their patriotism, and some disturbances arose in that quarter.[†] To remedy the destitute condition of the army, the president made a visit to headquarters in January, and, having fully ascertained its wants, and the resources of the surrounding country, took such steps as he could to provide for them.

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* Statement furnished by John Ricord, January 26, 1837.

The question of the recognition of Texan independence had been long the subject of discussion in the United States. There was considerable opposition to the measure, arising from the antislavery feeling in the northern portion of the Union. However, a resolution to that effect was introduced into the senate by Robert J. Walker, of Mississippi. On the 1st of March it was called up, and, after a warm discussion, was passed, by a vote of twenty-three to twenty-two. On the following day a motion was made to reconsider, but it was lost by a vote of twenty-four to twenty-four. The house of representatives made an appropriation for a diplomatic agent from the United States to the government of Texas; and the last official act of President Jackson, previous to his retirement from the executive chair, was the nomination of Alcee Labranche as *chargé d'affaires* to that republic. In a few days afterward, an official audience was given to the Texan ministers in Washington, and they were duly recognised as such to the government of the United States.* Thus one of the first powers had formally admitted that Texas was able to take care of herself. It was an era in her history worthy of remembrance. It was not a boon, but a just admission of her good conduct and firm purposes.

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[*] Houston to George Robinson, January 13, 1837. The army had other troubles. Under the recent law directing its reorganization, the president had appointed Colonel A. S. Johnson to the command as general-in-chief. He arrived in camp on the 4th of February. Some difference arising between him and General Felix Huston, induced the latter to call him out. They met on the morning of the 5th, and, after an exchange of four or five shots, in which General Johnson was severely wounded, the matter was settled. The affair produced considerable confusion in the army.—*Letter of Captain J. B. Irvine, February 5, 1837.*

[†] Letter of William Hardin, February 13, 1837. Colonel Hardin had charge of the Mexican officers taken prisoners at San Jacinto, and who had been sent to Anahuac.

Having acknowledged her independence, the question of her annexation legitimately came up for discussion. The Texan ministers lost no time in laying the matter before the cabinet at Washington. The *recognition* of the independence of Texas, and her *annexation* to the Union, were very different questions. In determining with respect to the first, the United States did not take the question of *right* between Mexico and her rebellious province into consideration. Their duty to the two countries permitted them to look at the *fact* merely: for if Texas was in fact independent, it was their duty and interest to admit it.

But in regard to annexation—so long as Texas should remain at war with Mexico, and the United States at peace with the latter, the annexation of Texas to the American Union would involve the government of the United States in a breach of treaty with Mexico, and necessarily induce a war.* Such was the reasoning of the American secretary of state. And, lest the United States might be suspected of a disregard of her treaty of friendship with Mexico, she did not even reserve the subject for further consideration, but dismissed it at once. This disposition of the matter was, no doubt, at that time, correct. The question then came before the people of the United States, as one of time. That these kindred peoples would be united, there could be no doubt: how long, then, did good faith on the part of the United States require her to wait upon the fruitless efforts of Mexico to reclaim her revolted and victorious colony? We will notice the gradual solution of this question.

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* Letters of Memucan Hunt, March 7, 1837, and J. H. Houghton, March 2, 1837. General Hunt says: "I can not permit this opportunity to pass without expressing my gratitude and admiration of the zealous efforts of Messrs. Walker, Preston, Calhoun, and Parker, in behalf of Texas. Their names are most prominently identified with the success of the first recognition of the independence of our republic."

The increasing number of volunteers, and the consequent expenditure of land-scrip to keep them in supplies, bore so heavily upon the credit of Texas, that some step became necessary to check the movement. Accordingly, an order was issued on the 10th of March, 1837, refusing all volunteers except such as received the passport of Colonel A. S. Thruston, Texan agent at New Orleans; and he was instructed to pass only those who should furnish themselves with good arms, six months' clothing, and two months' rations. This order had the desired effect; and, though it would have been unsafe before that time, it had now become practicable.†

Meanwhile, the threatening attitude of Mexico was daily decreasing. A revolt, growing out of the depreciation of the copper currency, broke out in the capital. The soldiers were called out, and, firing on the mob, killed several. Again, there was a rebellion in the southern part of the confederacy, and troops were ordered to that quarter. Indeed, such were the troubles in the capital, and so strong the demand for the *federacion*, that General Bravo left the army at Matamoras, and hastened to the scene of confusion. The Mexican government, however, having procured and equipped several small vessels-of-war, declared the coast of Texas in a state of blockade. The news of the recognition of Texan independence by the United States was received in Mexico about the close of March. It had a wonderful effect in abating the ardor of the nation. The secretary of war declared, in a speech to the Mexican Congress, that the event had been dexterously arranged by the United States many years before; that they had all witnessed the management and intrigue by which that nation had endeavored to acquire a portion of the territory of the Mexican republic; and that, with the same Punic faith, it had acquired possession of the Floridas from Spain! He further charged the United States with preparing armed expeditions to aid the rebel colonists of Texas; with insulting Mexican vessels, and conducting them into American ports, and there treating them as pirates, while the true pirates displayed an unknown flag in the same American ports, and received every kind of assistance and protection. "And," said he, "our men are now ready to enter on that ungrateful soil, and the God of battles will be with them, for it is a war of justice."*

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* Forsyth to Hunt, August 25, 1837.

† Order, March 10, 1837. Instructions to Thruston, March 16, 1837.

Deaf Smith, who, with a mounted force of twenty-one men, had been ranging west of San Antonio, set out on the 6th of March with a view to plant the Texan flag at Laredo. On the evening of the 16th he reached the Chançon, a small stream five miles east of Laredo, where he was discovered by the scouts of the enemy. On the following day, having moved back a mile or two, to obtain better grass for his horses, the

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* "*Diario del Gobierno*," April 2, 1837.

Mexican cavalry, to the number of forty, were seen about a mile distant, advancing in fine order. Smith and his party took a position in a thicket of *mosquites*, when the enemy began the attack at a distance of one hundred and fifty yards. Smith gave orders to his men not to fire until they were sure of their aim. After an engagement of forty-five minutes, the Mexicans retreated, having ten killed, and as many wounded. Smith had but two of his men wounded. Learning from the enemy's wounded that there was a considerable force at Laredo, he returned to San Antonio.*

Of the Mexicans who were natives of Texas, it has been said that there were two parties. From these, two hostile companies were raised: the one under the command of Colonel J. N. Seguin, and the other under Captain Rodriguez. The former kept his headquarters about San Antonio, and the latter at Matamoras. They both ranged over the territory between the two places, and gave to their respective superiors such news as they could gather—the most of which was totally unreliable, yet still calculated to produce uneasiness and uncertainty on the frontiers.

We must not omit to mention here the solemn ceremony of collecting and devoting to funeral honors the ashes of the heroes of the Alamo. It was performed on the 25th of February by Colonel Seguin and his command, under orders from the general-in-chief of the army. The dead had been burnt in three piles. The ashes were collected and placed in a neat black coffin, on the inside of the lid of which were engraved the names of Travis, Bowie, and Crockett; a solemn procession was formed, and the remains borne to the place of interment, where, after suitable orations, they were buried with military honors.

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* Deaf Smith's report to the Secretary of War, March 27, 1837.

The appearance of the Mexican fleet in the gulf was followed by some damage to Texas. The "Champion," freighted with provisions, &c., for the army, was taken by the enemy; and also, on the 12th of April, the "Julius Cæsar," whose cargo was valued at thirty thousand dollars. President Houston had previously issued an order for the release of the Mexican prisoners; but, learning that those on board the captured vessels had been taken into Matamoras and confined, he revoked the order of release.

This blockading navy of the enemy necessarily came in contact with the commerce of the United States; and the Mexican brig-of-war *Urrea*, having captured some American vessels and property, was taken by the United States sloop-of-war *Natchez*, and sent into Pensacola as a pirate. On the 17th of April, the Texan schooner *Independence*, having a crew of thirty-one men, besides several passengers—among whom was William H. Wharton, on his return from his mission to the United States—was met, about thirty miles from Velasco, by two Mexican brigs-of-war, the *Libertador*, having sixteen eighteen-pounders and one hundred and forty men, and the *Vincedor del Alamo*, carrying six twelves and one long eighteen-pounder, and one hundred men. After a severe fight, in which the Texans behaved most gallantly, the *Independence* was overpowered and taken into Brasos Santiago, whence the crew and passengers were transferred to Matamoras and confined. In this engagement, Captain Wheelwright, of the *Independence*, was severely wounded.*

The Texan navy, on leaving Galveston in May, proceeded to the mouth of the Mississippi, but, failing to find any of the enemy there after a cruise of seven or eight days, turned to the coast of Mexico. The Texans made some small prizes about the island of Mugere, and thence proceeded to Yucatan, where they cannonaded the town of Sisal for some three hours, but with little effect. The Texan schooner *Invincible* took and sent into port as a prize the Mexican schooner *Alispa*, of eighty tons; and the *Brutus* captured and sent in the schooner *Telegraph*. The Texans also made repeated landings along the coast, and burnt eight or nine towns. This, though sufficiently annoying to the enemy, and in accordance with their mode of warfare, has not been considered, in modern times, the most humane way of conducting a war. Another vessel, the *Eliza Russell*, of one hundred and eighty tons, belonging to English subjects, which was taken by the *Invincible* off the Alicranes, and brought into Galveston, not being freighted with a contraband cargo, was afterward properly restored, with damages, by the republic.*

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* Official report of Lieutenant J. W. Taylor, April 21, 1837. Letter of Surgeon Levy, May 5, 1837.

The frontiers of Texas during the winter and spring of 1837 had been unsettled. The Indians, actuated by the persuasions of Mexican agents, and the imprudence of many white people living near them, kept up a very annoying predatory warfare. They began their depredations by the murder of three men on the Trinity at Fort Houston; then by the murder of two more on the Neches; and these were followed by numbers of others along the frontier. Besides these outrages, many horses were stolen. The government did what it could to make treaties with the savages, and to keep up a vigilant ranging-service; but still, while the Mexican emissaries were among them, they could not be quieted.

On the first of May, the first Congress met for its second session, agreeably to its adjournment, at the town of Houston. The president had some time before preceded the members.

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* "Matagorda Bulletin."

As the town was not yet a year old, it will not be supposed that the accommodations were extensive. The president's house was a log-cabin, consisting of two rooms or pens—the one having a puncheon-floor, and the other a floor of earth. Yet in that humble dwelling the representatives of the republic and a large number of visiters—among whom were the British agent Crawford, sent to look at the country, and the distinguished Audubon—attended the *levées*.

The message of the president advised the Congress that the cloud of invasion, which a short time before had threatened to break upon them, had passed away. In recurring to the great subject of the finances, he informed them that the agents intrusted with the sale of land-scrip had proved so unfaithful, that further sales were suspended; and, owing to the depressed state of the money-market, none of the five millions loan had been taken.*

The Congress continued in session until the 13th of June. Among its enactments were, a law to raise public revenue by imposts; modifying the land-law of the previous session, and repealing all laws allowing further bounties to volunteers; imposing direct taxes; authorizing the issuing of the promissory notes of the government; and a law consolidating and funding the public debt. These were the principal laws of a general nature passed at this session. A joint resolution (suggested by the visit of Mr. Crawford to Texas) was also adopted, recommending the appointment of an agent to proceed to England, to procure the recognition of the independence of the republic by that nation.

It has already been stated that there was a revolt in the Mexican capital, growing out of a decree scaling the copper coin fifty per cent. This *emeute*, as before remarked, induced

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* Message, May 5, 1837.

Bravo to leave the army at Matamoras, and repair to the city. Filisola was sent to take again the command. The troops in that town received no pay, nor had they, to any extent, since the evacuation of Texas. The officers were leaving whenever they could, and the soldiers deserted daily. In the meantime, General Moctezuma had declared for the constitution of 1824, and took his position at the Rio Verde, fifty leagues from San Luis Potosi, where the federalists, to the number of over three thousand, rallied around him. About the first of May, General Valencia left Matamoras with eleven hundred troops, under orders to assist in the overthrow of Moctezuma. This reduced the force at the latter place, under Filisola, to about two thousand men. On the 26th of June, Moctezuma was surprised by the centralists, himself killed, and his army cut to pieces.

Such were some of the scenes enacted in Mexico. Her government had become faithless and penniless, and her paper was not worth twenty cents on the dollar. It was manifest that a crisis was approaching, for she must have money; and the priesthood, having the control of it, would make no voluntary surrender. Forcible proceedings would at once produce a revolution, for the priests controlled the masses in that country; and they knew very well that they had in Santa Anna a potent friend, who was ready to act at their request.

Texas was as poor as Mexico; and President Houston, seeing the burden the young republic had to bear, was anxious to discharge the most of the troops. Yet, having nothing with which to pay them, he followed the precedent of the United States at the close of the Revolutionary war—he gave them furloughs.* Thus two thirds of the Texan soldiers quietly dispersed to their homes, leaving the service in confident reliance upon the good faith of the government.

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* Order to the Secretary of War, May 18, 1837; also order of the 19th of May, 1837.

Colonel John H. Wharton, desirous of making an effort to release his brother from the prison of Matamoras, obtained permission and a flag, and proceeded with thirty Mexican prisoners to that town, to make an exchange. But, on landing, he was made a prisoner and confined in a dungeon. After an imprisonment of six days, he made his escape, and returned to Texas. In the meantime, his brother, William H. Wharton, through the aid of the well-known Captain Thompson, of the Mexican navy, also escaped and reached home. It was intended that Thompson should desert the enemy's service, and leave with him; but Thompson's departure was precipitated by some information given to the Mexican authorities, and he arrived in Texas before either of the Whartons.* This barbarous conduct on the part of the enemy induced the president of Texas to readmit the granting of *letters of marque and reprisal* against them, which he had suspended on his entrance into office.†

On the 25th of August, the *Brutus* and the *Invincible* arrived off the bar at Galveston, having in tow a Mexican armed schooner which they had captured near the banks of Campeachy. On the same evening, the *Brutus* and the prize entered the harbor, but the *Invincible* could not get in. On the following morning the latter was attacked by two of the enemy's armed brigs. The *Brutus*, in attempting to go out to her aid, ran aground; so the *Invincible* was obliged to continue the unequal contest alone during the day. Toward evening she attempted a retreat, but struck on the breakers near the south-east channel. The crew landed in safety, but during the night the vessel went to pieces. The *Invincible* was a favorite craft in the Texan navy, and her loss much regretted.*

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* "Telegraph," June, 1837.

† President's Proclamation, September 15, 1837.

Difficulties having arisen in the meanwhile between the authorities of the United States and those of Texas in relation to the yet undefined boundary-line between the two countries, and conflicts having occurred between their respective citizens along the border in regard to land-claims, President Houston convoked the Texan Congress in extra session on the 25th of September, and laid the matter before that body for its action. As the extra session extended into the annual session, the executive, on the 21st of November, addressed to the two houses his annual message. The important and complicated subject of the finances and currency of the republic occupied a prominent place in this document. The president stated the extraordinary fact that, since the commencement of his administration, only the small sum of five hundred dollars in specie had been paid into the national treasury. He declared the sale of land-scrip, as a means of supplying the wants of the treasury, to be "an imaginary and unfortunate expedient." The act of the previous Congress, authorizing the issuance of a half-million of treasury-notes, had already gone into operation. These notes were received in payment of public dues, and were deemed a better currency than the notes of the non-specie-paying banks of the United States (for the year 1837, it will be remembered, was a period of unexampled commercial prostration and financial embarrassment, which caused a general suspension of the banking institutions of the Union). The president believed that, so long as an *excessive* issue of these notes was avoided, they would have a sound currency, the credit of which would extend to those countries with which the republic had commercial intercourse; but that, if an excess were issued, the depreciation would be in proportion to such excess.

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* "Telegraph," September 2, 1837.

The report of the secretary of the treasury exhibited an *audited* indebtedness of a little over a million of dollars; but to this should be added the outstanding debt yet to be audited, which perhaps amounted to a million more.*

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* The author of the "Fiscal History of Texas" has not considered this unaudited portion of the debt of Texas (page 73). Mr. Gouge, so distinguished for his works on banking and the currency, has not done himself justice in his "Fiscal History of Texas." Without looking at the heroic efforts of Texas to relieve herself from the shackles of a tyrant, and the blood of her gallant sons so freely shed in that struggle, his eye has been fixed only on her poverty and her empty treasury. True, he has been industrious in collecting financial facts, and has arrayed them in a masterly manner; but it is always with a sneer, a reproach of her poverty and humble beginnings. We see in his work, not the soul of the lover of his race, but of the Wall-street broker! Surely, Mr. Gouge has lived long enough to know that something else than money constitutes the *man* and the *nation*. In regard to *good faith*, he will turn his fine abilities to a comparison between Texas and the United States at the close of their respective Revolutions. If Texas suffers in the comparison, the point will be surrendered.

CHAPTER VIII.

No people can live and do well without faith. That which is—of which we have no demonstrative proof—we must receive by faith. Our views are limited, and the more so, if we are wanting therein. To all such no voice is heard, no vision is seen, beyond the dark veil of the future; to them the stars speak not, the graves are silent; they read no lessons in the sky nor in the teeming world around them. As individuals or as a nation they do not live, but simply vegetate. It may be said that the greatness of a nation is co-ordinate with its aggregate faith. The future glows in the bosom of the man of faith; this begets hope, which cheers to labor and to enterprise. What else was it that brought the Franciscan friars to the wilds of Texas, and caused them to devote days and years of peril and of want to the instruction and culture of the savage mind? and what but faith drew around the sanctuary of God these wild children of America? Thus a great work was begun, and a faint glimpse obtained of man's high destiny. But there was to be an end of this missionary movement in Texas. Perhaps it had completed its work when, in 1794, the missions were secularized by order of Don Pedro de Nava, commandant-general of the northeastern internal provinces. After that time, and up to the period of the Texan Revolution, the religious movements in the province were under the direction and jurisdiction of the *ordinary*, or bishop of Monterey. They can not be said to have had much vitality. So far as Texas was concerned, they were stationary. In fact, the repeated wars and conflicts of which she was the theatre caused religion to decline.

The emigrants to Texas under the colonization system did not fall into the Roman catholic mode of worship. That they had faith, their works abundantly attest; but theirs was the protestant form of worship, and they saw nothing among their new neighbors to induce them to abandon the religion of their fathers. It is true that the law of their immigration required them to profess the catholic faith; but they winked at this law, and tacitly disclaimed the papal jurisdiction. Nor did the Mexican rulers attempt to enforce it upon their consciences. It is due to truth to say that, among all their grievances, they had little complaint to make on the score of religious intolerance. Some practical difficulties occasionally arose: for instance, marriage, being regarded by the catholics as a sacrament, required the action of the priest; whereas, the immigrants, looking at it only as a civil contract, were content to be married by a civil officer, by the captain of a military company, or even by a bond executed by the parties in the presence of witnesses.* But the protestants were not persecuted in Texas.

This tolerant spirit brought many protestant missionaries into the province before the Revolution. As early as the year 1818, the Rev. Henry Stephenson, of the methodist church, preached on the Texan side of Red river. In 1822, he extended his visits farther west; and, in 1824, he preached the first protestant sermon west of the Brasos, at the camp of John Rabb, near San Felipe. In 1826, Rev. Joseph Bays, of the baptist church, preached at the house of Moses Shipman, west of the Brasos. In the latter part of 1827, he removed to San Augustine, where he continued his labors till he was compelled to desist, it has been said, by the Mexican authorities, but more probably by desperate men of the American stock: for in the history of those times, the great hindrance to the exertions of the American missionaries was found in the opposition of the heroes of the *neutral ground*. In 1828, Rev. Sumner Bacon, of the Cumberland presbyterian church, penetrated as far west as San Felipe,* and preached wherever he could. In 1829, Rev. Thomas Hanks, of the baptist church, also preached west of the Brasos. It was during this year that the baptists had the honor of establishing the first Sunday-school in Texas. It was organized at San Felipe, under the guidance of T. J. Pilgrim.

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* By the ordinance of the council, January 16, 1836 (Orders and Decrees, p. 185), all judges, alcaldes, commisarios, and ministers of the gospel, could celebrate the rites of matrimony. By the act of June 5, 1837 (Laws of Texas, p. 283), the former marriages by bond were legalized. This law was further extended in 1841 (Laws, vol. v., p. 176).

The baptists and the methodists have not yet settled the question as to which denomination reared the first church in the Texas wilderness. The former was organized in 1833 west of the Brasos; the latter was organized at a camp-meeting, ten miles east of San Augustine, the same year. About the same time a church was organized by Rev. Milton Estill, of the Cumberland presbyterian faith, in what is now Red River county. Thus, under the Mexican government, the protestants commenced their labors in Texas. In 1832, Sumner Bacon, through the instrumentality of Rev. Benjamin Chase, of Natchez, was appointed agent for the distribution of the Bible in the province. Bacon was a fearless man, and scattered the word of God from San Antonio to the Sabine. He met with serious opposition, but it was from his own people, and not the Mexicans. In this work he laid a broad foundation for the protestant missionaries.

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* For an account of the first labors of the several protestant denominations in Texas, see Appendix No. VII.

The Revolution in Texas necessarily retarded the religious movement, but only to enable it to advance with renewed energy. It may be said that the protestant immigrants brought their preachers, as well as their religion, with them. This remark, however, does not apply to those desperate, homeless wanderers, who, having fled their country, spread disorder and crime wherever they went; and who, after a short career, were destroyed or driven off. On the return of peace, after the army was disbanded, a feeling of gratitude seemed to animate the citizens: they had seen how signally and manifestly God had favored them in their struggle, and flew to the altar of their faith to give utterance to the noblest feelings of their hearts. There is always hope for such a people. When there is a will, there is a way; and those who witnessed the great moral reform that succeeded the clash of arms, beheld the germ, the outcroppings of a spirit, that promised much. Their faith gave truth, dignity, moral firmness, and energy, to their character. They heeded not the timid croakers in the old states, who were willing to denounce what they wanted the courage to enjoy, but wrought valiantly, for they were laying the foundations of an empire. Lasting honor to the old pioneers of Texas, and to the faithful heralds of the cross who came to minister to their flocks! They went forth sowing in tears, but many of them have already gone their way rejoicing, taking their sheaves with them.

As early as 1838, the presbyterian and the episcopalian ministers commenced their operations in Texas; and, though not claiming to be pioneers in this work, the preachers of these denominations have wrought with zeal, and by example and precept given an impulse to learning that has added much to the character of the state. Nor have the Roman catholics been backward in advancing the moral and intellectual condition of their people. In this country of mild laws and free opinions, they enjoy, as they ought to do, the same religious and civil rights with all others. As they are a people of strong faith, they are left to its enjoyment, and to the full development of whatsoever their hands find to do. As an evidence of the moral growth of Texas, there are now not less than thirty-five thousand of her people attached to the several protestant churches. The numbers belonging to the catholic faith are unknown. It has been recently stated, by a Texan bible-agent, that Texas is more abundantly supplied with the word of God than a majority of the states of the Union.

On the 8th of May, 1837, at the office of Rev. Dr. R. Marsh, in Houston, a meeting of ministers of the gospel was held.* Its object was the promotion of the cause of religion in Texas. Rumors had been circulated in the United States that the people of Texas had no regard for religion or morality. These were credited by many Christians in the former country, and their effect was keenly felt and deprecated by the latter. This meeting, composed of representatives from several denominations, after the Texas fashion, formed itself into an "*Ecclesiastical Committee of Vigilance for Texas,*" and declared that, under the great Head of the church and the benign influence of charity, it would endeavor to maintain the purity of the Christian name, and the honor and dignity of the ministerial office; for which purpose, the members would give their sanction to no individual professing the sacred principles of religion, who was not of regular standing in the branch of the church to which he might have belonged, and who did not exhibit a godly walk, and produce satisfactory evidence of full membership. They urged a union of the exertions of each branch of the church in advancing the interests of the Redeemer's kingdom. They also appointed the Rev. Drs. Hall, Smith, and Mathews, a committee of correspondence. There is nothing like a committee of vigilance—for we are taught to watch as well as pray; and this small meeting, whose proceedings were extensively published, did much to prevent the ingress of rogues, under sleeves of lawn, into Texas.

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* The meeting was composed of the following clergymen, viz.:—
Rev. W. W. Hall, of Houston, presbyterian, from Kentucky;
" William P. Smith, of Washington, protestant methodist, from Tennessee;
" L. L. Allen, of Washington, episcopal methodist, from New York;
" H. Mathews, of Houston, episcopal methodist, from Louisiana;
" R. Marsh, of Houston, baptist, from Alabama; and
" Z. Morrell, of Milam, baptist, from Tennessee.
Telegraph, May 16, 1837.

In July, 1837, Charles Compte de Farnesè presented himself before the Texan government with certain propositions, combining at once the more extensive influence of the catholic religion, and the recognition by Mexico of the independence of Texas. He came with recommendations,[*] and represented to the president that, "having heard in Europe of the conquest of Texas, he had abandoned his country (where he enjoyed a fine fortune, was allied to several European courts, and had the prospect of a brilliant career), to offer his services and fortune to Texas." After some preliminary remarks in relation to the protection given by European monarchs to religion, and the human heart and mind "which require to be cultivated like a young plant," he submitted to the president his "plan," which was, to treat, through his means, should the president think him worthy, with the court of Rome:—

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[*] "VELASCO, *July* 11, 1837.

"*To His Excellency Sam Houston:*—

"DEAR SIR: This will be presented to you by the count Farnesè. His object in visiting this republic is, to offer his *fortune* and *personal influence* to the glorious Texan cause. His views are extensive, and, if fully consummated, will, no doubt, be of infinite service to this republic. They have been fully explained to Dr. Archer, General Green, and other influential gentlemen here, all of whom think highly of them. The count is, no doubt, a gentleman of high literary attainments, and seems to have his heart much set on the establishment of institutions of learning in this country. The proposition he makes, of opening at once (after seeing and consulting with you) a correspondence with the court of Rome, for the purpose of having established in this republic an independent bishopric, if successful, can not fail to be productive of the most *beneficial effects*. It will not only place the catholic citizens of this republic in a very different attitude, but will induce tens of thousands of other catholics to emigrate to the country. . . . .

"Very sincerely yours, JOHN C. WILLIAMS."

"1. To raise all Texas to an archbishopric. This step is the sure means of making peace with Mexico through the influence of the Roman court; it will break all communication with the bishop of Monterey, under whose jurisdiction are the catholics of Texas, and will remove all difficulty with other courts in acknowledging the independence of Texas."

After some further details as to the election and residence of the archbishop, the count proceeds with his plan:—

"6. To accord gratuitously, in all the cities and villages of Texas, a convenient place to build a church, house for curate, and school.

"7. In order that the archbishop, clergy, masters and mistresses of schools, may not become chargeable to government, to accord to them, without distinction, in their respective parishes, or the nearest district, twelve hundred and eighty acres of land."

"9. The churches, houses of clergy, and schools, will be built by the means of the church: consequently, the government will not have the power to employ them for any other purpose, without consent of the holy see.

"10. The religion catholic apostolic and Roman will be allowed to exercise freely her functions in all parts of Texas.

"11. She will enjoy the protection of government.

"12. She will observe strictly the rites and canons Roman."*

How little did the count Farnesè know of the American system of government! To the first article of his plan no man in Texas could object. The catholic church had, and still has, the liberty of creating such ecclesiastical functionaries in the state as she deems necessary to her welfare. The ninth, tenth, eleventh, and twelfth articles, were all granted by the constitution: with this understanding, that the church could make any alterations she chose in her rites and canons, or she could abolish them all, and the government could not and would not interfere. The sixth and seventh articles, which contemplated a donation to the church, were wholly inadmissible, inasmuch as the government makes no grants or donations to any church or sect, but extends to all the liberty of worshipping God as they may think proper. The great error of Count Farnesè was, in supposing that there could be a connection between church and state in Texas. As men have different ways of looking at spiritual matters, the government wisely permits them to think as they please, and to form as many associations and churches as they may wish—not choosing to take part with any, further than to secure to all perfect liberty in their worship. As governments are of this world, and the kingdom of Christ is not of this world, to preserve the peace and purity of each, our institutions keep them separate. This article in the Texan creed would have been the last one surrendered by the people. True, the churches in Texas are poor, and their temporalities would be greatly improved by donations from the state or from individuals; but, in the history of the church, from its first organization, it is clearly shown that her spirituality has been in direct proportion to her poverty. Nearly all the departures from a holy life have been found among those of the clergy and laity who abounded in the comforts and luxuries of the world. In all those governments where religion has become the creature of the state, while she has abounded in temporal good, her spirituality has fled. So little does the arm of God require an arm of flesh to feed his church! These reflections may be unpleasant, but they are true.

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* Letter and plan of Count Farnesè, July 28, 1837.

In justification of the profound wisdom and happy consequences of this policy in Texas, her history shows as little of religious persecution as any part of the world. May this her favored condition be perpetual!

The conduct of the Indians on the frontiers of Texas was such as to require energetic action on the part of the government. During the spring of 1837, a party of Mexicans visited all the Indian nations on the frontier, making to them the most seductive offers to induce them to make war on the Texans. They promised them arms, ammunition, and the plunder and prisoners—women and children included—taken during the war; also the peaceable possession of the country then held by them. At the same time, these emissaries succeeded in persuading them that, if the Texans were successful in the war then pending between the latter and Mexico, they would seize the country then occupied by the different tribes, and drive them from the land of their fathers. Thus many tribes of the prairie Indians were induced to join the Mexicans.*

The savages soon commenced their incursions into the settlements, and the Texan Congress found it necessary to declare war against them. Lieutenant-Colonel A. Horton, of San Augustine, was ordered to raise a force of a hundred and twenty men, and as many more volunteers as might be deemed necessary, to proceed against the prairie Indians.* Yet no successful effort was made to chastise them. Every day or two, during the year 1837, some murdered citizen or stolen property attested their hostile feeling. In the autumn, Lieutenants Benthuysen and Miles, with eighteen mounted rangers, proceeded from Fort Smith to the head-waters of the Trinity, where, on the 10th of November, they fell in with a hundred and fifty hostile Indians. A fierce battle was fought, which lasted two hours. The Indians, having lost their chief, retired for about twenty minutes, elected another leader, and returned to the charge. The Texans had in the meantime taken a good position among some timber on a knoll. The savages, unable to drive them out, and suffering severely from their rifles, set fire to the grass all around them. The Texans then made a charge upon their foes, who, after considerable resistance, fled, leaving about fifty warriors killed! The rangers lost Lieutenant Miles and eight privates killed, and three wounded.†

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* B. L. Chouteau, Agent for the Osages, to William Armstrong, Superintendent of Indian Affairs West, March 1, 1837.

The great question before the second Congress was, the disposition of the public lands. It will be remembered that the general consultation, on the 13th of November, 1835, closed all the land-offices, and ordered all empresarios, commissioners, and surveyors, thenceforth to cease their operations. This decree necessarily rendered all certificates granted, or locations or surveys made, after that date, invalid. The objects of this decree were manifest, but a reference to a few facts will render them more so. The legislature of Coahuila and Texas, in its last days, finding that the latter province was about to be lost to Mexico, or at least to Coahuila, undertook a shameless and corrupt squandering of the public domain in Texas. These *quasi* land-titles were to be resisted. Under the colonization laws of Mexico, tracts not exceeding eleven leagues to one person, could be sold to *natives*. Under color of these laws, and using the names of natives, land-speculators, claiming to act as their attorneys in fact, had already begun and were preparing to possess themselves of the best lands in Texas. This wholesale operation, as a fraud upon the colonist and the soldier in the field, was also to cease. Numbers of persons, having purchased up *head-rights* of individuals (who never made Texas their home, but visited the country, and remained only long enough to obtain their title-papers), wished to locate and perfect the titles to these head-rights; and, having exhausted this list of transient persons, names were manufactured, and head-rights granted upon them. It was necessary to check this operation likewise. Yet the endeavor was resisted in some parts of the republic; and, to avoid all difficulties arising from the extension of titles after the decree of November 13, 1835, it was found convenient to ante-date them.*

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* President Houston to J. W. Parker, June 1, 1837. The most powerful enemy to the Texans, among the Indians, was *Chicony*, the principal chief of the Camanches. Major A. Le Grand, of the Texan army, was sent to treat with him. He found the chief near the confluence of the Big and Little Washita. Le Grand having stated the object of his visit, Chicony replied that, "so long as he continued to see the gradual approach of the whites and their habitations to the hunting-grounds of the Camanches, so long would he believe to be true what the Mexicans had told him, viz., that the ultimate intention of the white man was, to deprive them of their country; and so long would he continue to be the enemy of the white race."—*Report of A. Le Grand, April* 26, 1837.

† "Telegraph," December 23, 1837.

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* "February 5, 1836.—Had a long conversation with Major Don Jorge Antonio Nixon, the commissioner for granting land-titles. . . . . . The operations of this office are now suspended, and some hundreds of deeds are now lying here incomplete, waiting for some formalities, and the payment of fees. Nixon expected to be removed, or to have his duties superceded, and he has had the shrewdness to *certify all the incomplete deeds, prior to a certain date;* so that, when the purchaser comes for his deed, he will find it ready, as far as the commissioner can make it so."—*Notes of Colonel William F. Gray: MS.* The hundreds of Spanish titles, thus ante-dated, were soon put into circulation. When Colonel Gray saw them, they were waiting for a purchaser.

Many old settlers who were entitled to head-rights, and many soldiers who were entitled to bounties, were, at the passage of the decree, and for a considerable time afterward, engaged in the army, and their claims certainly were of superior merit. Hence it was but a matter of justice to them that they should have an equal chance with others in the selection of their lands. If "the spoils belonged to the victors," surely they had the best right to them.

Many efforts were made by the majority in the first Congress to recommence the distribution of the public lands, but the president did what he could to resist them. The sectionizing of the public lands had been provided for by the constitution.* The president was desirous of complying with this provision. Its meaning, when we refer to the mode of surveying lands in the United States, in sections of a mile square, is plain enough. But the Congress of Texas chose to understand it otherwise, and passed the general land-law without any regard to the sectionizing system. The president vetoed the law on the 13th of December, and the two houses passed it by a majority of two thirds on the following day.†

Some remarks here upon the history of land-titles in Texas may not be uninteresting. Neither Spain nor Mexico ever considered the public lands within the limits of the latter as of any value. So far as Texas was concerned, it was the policy of Spain to keep them unsettled, as a barrier to encroachments upon her mines. In the first days of success after the Mexican Revolution, a feeling of enterprise was manifested, and the idea of colonizing the vacant lands entertained. Even then the sale of lands was only suggested by the successful operation of

* Constitution of the Republic, General Provisions, Section 10: "The whole territory of the republic shall be sectionized, in a manner to be hereafter prescribed by law."

† Acts of 1837, p. 62.

the system in the United States of the North.* A good deal more attention was paid to water-privileges, and lands incapable of irrigation were deemed of no value, except for pasturage.

The first grants of the Spanish government in Texas, of which we have any record, are those of the three missions of Concepcion, San Juan, and La Espada. The grants for the missions of Valero and San José were doubtless made earlier, and probably some individual grants, but we know of none now in existence.† The three first-named missions were located in the first instance on the St. Mark; but such was the difficulty of procuring water for irrigation, "so necessary to the support of the people who were to be indoctrinated," that on the 29th of October, 1729, the viceroy of Mexico, Casa Fuerte, commissioned the governor of Texas, the ex-guardian of the apostolic college of Queretaro, and the president of the Texan missions, to make a new settlement or location. After some search, they made their selections of three places—two on the San Antonio river, and one on the "Medina," below the junction of the two streams. They next proceeded to the neighboring tribes of Indians, to whom "they spoke, and explained the holy and benevolent purpose of their institution; and three tribes, among others in the vicinity, viz., the *Pacaos*, the *Pajalats*, and the *Pitalacs*, agreed to settle the three places selected, and to submit to doctrine." The commissioners, having completed their labors, made a report to the viceroy, and petitioned him to make the necessary decrees. The viceroy laid the matter before Ribera, former inspector of the *presidios* of New Spain, for his opinion. The ex-inspector reported on the 22d of September, 1730, concurring with the report of the commissioners, except in regard to the location for the lower mission "on the Medina river, at thirty leagues' distance from the *presidios* (San Antonio and La Bahia), where it may be liable to attacks from the Apaches, who on many occasions appear in a hostile manner in that territory. . . . This danger would not exist if the said mission were located in the same vicinity with the other two."

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* Report of Lucas Alaman, Secretary of State to the Sovereign Constituent Congress, November 1, 1823.

† The writer is greatly indebted to Colonel J. W. Hampton, Colonel Crosby, and to Mr. Buchanan, the commissioner and translator of the land-office, for transcripts of the old grants to be named in this connection.

The viceroy, in conformity with this opinion, on the 2d of October, 1730, decreed that the captain of the royal presidio of San Antonio, should issue a decree that the three missions should be located as recommended, using his judgment as to the plan of locating the lower mission. He further ordered that each mission so to be located "be furnished with three soldiers for the term of two years, this time being considered necessary for the instruction of the Indians in tillage, and at the expiration of this time one soldier shall remain in each mission, the other two returning to their corps."

On the 15th of December, 1730, the captain of the presidio of San Antonio de Bexar, in pursuance of this order of the viceroy, remitted the same to Don Gabriel Costales, captain of the presidio of *La Bahia del Espiritu Santo*, with orders to execute it, he being delegated as judge for that purpose, in the absence of any public or royal notary. In making a return of his proceedings, Captain Costales says: "A despatch was presented to me from the most excellent viceroy, through the captain of the royal presidio of San Antonio, which I kissed and placed on my head, as a message from my king and natural lord, which with blind obedience I obey, and am ready to execute whatever it commands." Upon this return, the captain of the presidio of San Antonio, on the 12th of January, 1731, decreed the establishment of the missions named. All these formalities being attended to, and the acts of each party written down, and attested by assisting witnesses, the captain of San Antonio proceeded on the 5th of March, 1731, to the first mission-ground, called *Our Lady of the Concepcion de Acuña*,* accompanied by several of the officers of the presidio, and Father Bergara, and seized the hand of the captain of the tribe, in the name of all the other Indians who had attached themselves to said mission, and led him about over the locality, and caused him to pull up weeds, throw stones, and perform all the other acts of real possession, that by virtue thereof they might not be dispossessed without being first heard and defended by Father Bergara, president of the Texas missions, or such other of the clergy as might have administration over them. After declaring the bounds of the mission, there was attached to it pasture-lands, watering-places, irrigating privileges, uses, and services, and the further right, in planting-time, to drive their stock out west for pasture, so as not to prejudice the crops. The act of possession concluded by notifying the Indians, through an interpreter, what they should do in advancement of Christian doctrine, and in avoidance of crime.

At the same time, Captain Perez proceeded to put other tribes in possession of the mission-grounds of *San Francisco de la Espada*, and *San Juan*, situated below, on the San Antonio river;† the same formality being observed in each case. The record of the titles (which, as will be seen, is a simple narrative of the action of each party) was then filed in the archives of San Fernando de Bexar, and a certified copy furnished to each mission. It will be observed, in the foregoing abstract of the transfer, that the title was assumed to be in the king of Spain, and that the transfer was to the Indians, and not to the priests, who, by their vows, could own no worldly estate.

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* The baptismal name of the viceroy was Juan de Acuña.

† At this period (1731), the river below the junction of the Medina and San Antonio was called the *Guadalupe*, and the present river of that name was called *San Marcos*. At times, however, it retained the name of "Medina" to the gulf.

In regard to the mission-lands of *San José de Aguayo*, they were claimed by Don Domingo Castelo, one of the king's ensigns, for his services at the presidio of San Saba; but, after a protracted lawsuit between him and the mission, the title was vested in the Indians of the mission, on the 18th of November, 1766, by purchase, for one hundred and fifty dollars.

For a further illustration of ancient Spanish titles, we will refer to the grant to Luis de la Bega, in 1792. The lieutenant-governor of Texas, Captain Juan Cortes, had issued an order that he would donate lands to all who had not received them. In pursuance of this order, La Bega presented his petition, asking a title to a place called *Las Castañas*, where he had a herd of mules, requesting that it be given him for the pasturage of his animals, "with all its inlets and outlets, uses and customs, for himself, his heirs and successors, at all times to use it as a lawful right, since from it benefit would result to him." The petition closes in the usual form: "I petition you to please order to be done as already prayed, that thereby I may receive favor; and also to receive this on common paper, there being none of the proper kind [stamped]. I swear this is not in malice, but necessary," &c. On this petition, the lieutenant-governor says: "Let it pass to the solicitor" (*procurador*), in order that, without prejudice to a third party, he give the corresponding possession. The solicitor then declares that, in pursuance of the lieutenant-governor's order, "he proceeded to the place called *Las Castañas*, and, having notified the settlers who joined and lived at the place of my intention, I gave him from the place he petitions for as far as the bank of the river Angelina, to the east a league and a half, bounding with the barrens, without being able to extend the other two courses on account of its being occupied: and taking the said Don José Luis de la Bega by the hand, and between one of said leagues he placed the corresponding signs, and I granted him the corresponding possession in the name of his majesty (whom God preserve!) in the presence of my assisting witnesses, with whom I act, for want of a notary public."

These three papers—the petition, the order, and the possessory act—constituted La Bega's title. While they were filed in the archives of Nacogdoches, the owner could have a certified copy. A title to a lot in Nacogdoches, granted the same year to Pedro Gengle, is in the same form—the *procurador* stating in the possessory act that he led the said Pedro Gengle by the hand to the premises, and at each corner of the land, "as a sign of possession, he drove stakes, pulled up weeds, and threw stones."

Some years afterward, the large grants about the villages having covered most of the lands, it became necessary to be a little more particular in extending titles. The grant ceased to follow as a matter of course upon filing the petition; but the representative of the king first had an examination made, and a report of the result returned, upon which he acted in his discretion; and sometimes a slight consideration was paid. In 1810, San Miguel presented his petition to Governor Salcedo for a grant of a parcel of land lying three leagues from Nacogdoches, situated on "Palisada creek, which joins with the Nana," adjoining the lands of his neighbors Pedro Espaga and Vicente Michelli. The reason he assigns for asking the grant is, that he is absolutely without any land on which to labor and keep his stock. The governor directed the petition to pass to Pedro Procela, a neighbor, whom he commissioned to go upon the premises, and examine, and report as to the quality and circumstances of the land, its waters, whether it was vacant, its value (in reference to the tariff for grazing-leagues), and whether a grant of it would be prejudicial to a third party. Manuel Delgado, clerk of the council, having certified to the genuineness of the governor's decree, the papers were handed over to a notary, who notified Miguel and Procela of what was done, and caused them to sign an acknowledgment of the notice.

Procela, thus commissioned, went upon the premises with two assisting witnesses, and made the required examination. It is proper to state that Procela was a friend of the applicant; and accordingly, in his report to the governor, he represented the land as broken, bad winter pasturage, with no permanent water, and unfit for farming; and, having noticed particularly the circumstances of the land, he declared it afflicted with "an almost general epidemic of ticks, hornets, &c., which was common to the jurisdiction" of Nacogdoches. He further declared the land vacant, that it could be granted without prejudice, and, in conclusion, estimated the value of the whole tract (of twenty-five hundred acres) at five dollars! As to the governor's action upon this interesting report, we are not advised; but the entire proceeding shows that it had become much more difficult to obtain titles to lands than formerly.

As the majority of the inhabitants of Texas, at the time of the establishment of the colonial system, were civilized Indians and their descendants, the fruits of missionary labor, and known generally as "Mexicans," we will refer to the mode by which they acquired titles to their lands. It has already been seen that, in the establishment of the missions of Concepcion, San Juan, and Espada, the title and possession of the missions were formally vested in the Indians. By a royal *cedula* of the king of Spain, of the 10th of September, 1772, the four missions around the presidio of Adaes—viz., *Our Lady del Pilar de los Adaes*, *Our Lady de los Dolores de los Aes*, *Our Lady de Guadalupe de los Nacogdoches*, and *Our Lady de la Luz del Orquizaco*—were abolished, and, as we have seen, the convents removed to San Antonio, where lands were distributed to them on the east bank of the river.

The order of the commandant-general De Nava, of April 10, 1794, in directing the discontinuance of the Texan missions, also required the abolition of the community system by which the Indians held their property; and they were placed upon the same footing as other Spanish subjects. While the order provided carefully for the morals of these new subjects of his majesty, by requiring the magistrates to see that professional gamblers and liquor-dealers did not enter into their towns, it also provided that, of the best lands belonging to each settlement (*pueblo*), there should be set apart eight lots of about fourteen acres each for their use, additional lots to be added as the number increased. The remainder of the league around the mission was to be divided among the Indians in right of inheritance, and titles extended to them in the name of the king—the titles, however, being limited to them and their descendants. Thus the missionaries ceased to have the administration of the Indians or their temporalities, and they became as other Spanish subjects, responsible alone to the civil authority.* In spiritual matters, however, the Indians as well as the missionaries came under the jurisdiction of the bishop of the diocese.

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* The returns made of the number of Indians in the mission of San José, in pursuance of this order of De Nava, are as follows:—

CHRISTIAN INDIANS—Men, 27; women, 26; boys, 11; girls, 14; widows, 6 84
PAGAN INDIANS (*gentiles*)—Men, 6; women, 5; boy, 1; girls, 3.... 15

Total 99

Return of July 30, 1794.

This decree of De Nava seems either not to have been fully carried out in Texas, or else it was confined to those missions under the influence of the expelled Jesuits (though we do not find that they obtained a footing in Texas); for, by a decree of the Spanish cortes, of the 13th of September, 1813, all the missions in Texas were ordered to be secularized. This was probably induced by the democratic leanings of the priests. It was not until the 15th of September, 1823, that the supreme government of Mexico ordered the execution of the decree of the cortes. Finally, in 1827, the legislature of Coahuila and Texas divided out the mission-lands.* Thus, during the several changes of government, the same policy was pursued, and the "Mexicans" of Texas (*Indios reducidos*) received titles to their lands. But the various wars that occurred in Texas, between 1810 and 1835, destroyed and drove off large numbers of the old inhabitants; their landmarks were obliterated, their titles destroyed and forgotten, and under the new order of things the same lands were relocated and granted once more to new settlers.

Under the colonial system, the ancient mode of extending titles was generally observed. Foreigners being permitted and invited to settle in the country, either came at their own expense, and on their own account, or they were introduced by *empresarios*, who contracted with the government to bring in so many families, in consideration of the lands which were given to such contractors for this service.† The general colonization law declared that the state desired to augment the settlement of its territory, to advance the raising and increase of stock, and the progress of commerce and the arts. For agricultural purposes, a *labor* of land was allowed; for grazing, a fourth of a league; to a single man, a third; and to each head of a family, a league. The first step in procuring the grant, after the domiciliation of the applicant, was a petition to the executive, representing the sovereignty of the state for, the title to the vacant lands in the state. But as it was not convenient for the governor to give his personal attention to this matter, commissioners were appointed to represent him, and the petitions were addressed to them. These petitions merely set forth the facts of the applicant's immigration, from what country, and the extent of his family, if he had one. The commissioner, by a written order, remitted the application to the *empresario*, for his examination and report. The latter having reported that the applicant was a colonist, the papers were returned to the commissioner, who issued an order to the surveyor to survey and mark the lands designated, and make return with duplicate plots of the premises. The commissioner then decreed a title, and put the party in possession. He did not actually go with him upon the premises, as had been done in former times, but the decree set forth that he put him in real, actual possession of the lands. In this decree the conditions provided for by the law were inserted, viz., the setting up of permanent landmarks at the corners within one year, the cultivation of the lands, and the payment of the government dues within six years. The latter amounted to thirty dollars for a league of grazing-land, and two and a half or three and a half dollars per *labor*, according as it was irrigable or not irrigable. There was a further condition in the decree that the land should not pass into *mortmain*. All these parts of the title being entered in a book, according to their date, constituted what is known as a Spanish title. They were then carefully copied off, and certified by the commissioner to be a faithful copy. This copy, with one of the maps, was delivered to the colonist as his title. They are sometimes called "second originals," and sometimes "*testimonios*." The originals were retained by the commissioners, and finally deposited in the general land-office, where they can be referred to, as proof of the genuineness of the *testimonio*. This was the general form of the colonial head-right grants. In cases of purchase from the state, or of grants to the military, the form was varied to suit the consideration and conditions of the law.

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* Decrees No. 37, November 26, 1827, and No. 37, June 15, 1827

† Decree No. 16, Article 3, *et seq.*

Under the Texan land-law of the 14th of December, 1837, the American system is introduced. A commissioner of the general land-office is created; also a board of commissioners for each county, to take proof and issue head-right certificates; and likewise a surveyor for each county, to survey, and make out and record field-notes of the land designated. These field-notes, with the certificate, are returned to the general land-office, examined, located on the map of lands, and, if found correct, and on vacant lands, a grant or patent, signed by the governor and countersigned by the commissioner, passing under both their seals, issues to the party in the name of the state. Should the party's claim be for military services, he obtains his warrant from the war-office, and proceeds to locate it as a head-right certificate. So, likewise, in regard to land-scrip, the same course is pursued.

Under this important law, hundreds of claims were presented and acted on early in 1838. Many locations, however, were made on these old Spanish grants, the parties being either ignorant of their existence, or supposing them forfeited by non-performance of conditions. But, under the general principle that none but the state could set aside a grant for non-performance of subsequent conditions, and a conflict of interests having prevented any action in the Texan Congress or legislature on that point, the old grants have generally been sustained, and often to the prejudice of a more rapid immigration. The Congress, however, remitted all the conditions annexed to head-right grants, except the government dues.

The year 1838 opened well for Texas. During the latter months of 1837 a heavy immigration had come into the country, the parties composing which brought with them substantial means and industrious habits. The Mexicans, to the number of five or six hundred, had advanced as far as San Patricio, but soon retired, driving before them some two thousand head of cattle ranging west of the Nueces. The prudent use of the promissory-notes of the republic, being received for duties and other public dues, had given a temporary relief to the treasury. The increase in the number of immigrants had also added to the imports and tariff dues. Lands had likewise risen in value; so that Texas was in a prosperous condition. During the year 1837 her farmers had made good crops, that of cotton alone being estimated at fifty thousand bales, and worth at the selling prices two millions of dollars. The new town of Galveston was beginning to rise in the public estimation. Commerce had sought out the harbor as the best in the republic, and responsible merchants were beginning to settle there. As in 1836 a vessel scarcely anchored in the harbor once a month, now, in the beginning of 1838, vessels were arriving daily, and the harbor presented the appearance of an Atlantic port. The merchants who had previously confined their trade to New Orleans, were now extending their business to the eastern cities.* With the demand from the interior, grew up the traffic between Galveston and Houston. This trade was carried on by four steamboats; and the growth of the last-named town was equally rapid. For the first quarter of 1838, the imports at Galveston were over a quarter of a million, and the duties about fifty-one thousand dollars.

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* "Telegraph," February 17, 1838. A writer in that paper of June 16, 1838, says that, twelve months previous to that time, there was but one building there, but at the time he wrote there were fifty or sixty elegant buildings, and fifteen or twenty vessels in the harbor.

The want of means had caused a reduction of the naval as well as military force of the republic; but at length the authorities succeeded in procuring the brig *Potomac.* This vessel was the only one afloat in the Texan navy in the summer of 1838. But, at that time, Texas had no need of a navy to defend her against her enemy; for the French government, having certain claims against Mexico, which she failed to meet, sent her, from on board the national frigate *L'Herminie*, off Sacrificios, an *ultimatum*, the substance of which was, that the republic, by the 15th of May, 1838, should pay six hundred thousand dollars claimed as indemnity.* The Mexican government having rejected this *ultimatum*, her ports were blockaded on the 15th of April, and a considerable French naval force was assembling at Vera Cruz.† This blockade, which lasted for some time, gave peace to the western frontier of Texas.

The diplomatic relations between Mexico and the United States, which, as we have seen, were so suddenly broken off, were again resumed. On the 20th of May, 1837, the Mexican Congress passed a law authorizing President Bustamente to propose a reference of their differences to a third party. With this view, Señor Martinez was accredited as embassador to Washington, and submitted the proposition to the secretary of state.‡ It was accepted on the part of the United States, and a convention proposed for making out the details of the reference.

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* M. Deffaudis to the Mexican Minister of Foreign Affairs, March 21, 1838.

† Proclamation of blockade, April 15, 1838.

‡ Martinez to Forsyth, April 7, 1838.

The differences between Mexico and other nations freed Texas from present anxiety, relieved her from some expenses which she was ill able to bear, and gave her time to consolidate her strength, thus increasing the improbability of another invasion. Yet she was preparing to protect her coasts and commerce. In pursuance of an act for augmenting the navy, approved November 4, 1837, Samuel M. Williams was appointed by the president to contract for the vessels required by the law. Accordingly, on the 13th of November, 1838, he contracted with Frederick Dawson, of Baltimore, for one ship, two brigs, and three schooners, to be fully armed, furnished with provisions and munitions, and delivered in the port of Galveston, for which the contractor received two bonds of the republic of two hundred and eighty thousand dollars each, which might be redeemed by sterling bonds for five hundred and twenty thousand dollars, or by payment of the face of the bonds with ten per cent. interest. If the bonds were not so satisfied by the 1st of December, 1839, then the bonds, deposited in the Girard bank, were to be delivered over to the contractors.* This was a portion of the loan.

In 1838, and for some time previous, the banks in the United States had ceased to redeem their paper; consequently, it was considerably under par. The promissory-notes of the government of Texas had suffered a like fate, and for a still stronger reason, that they were never redeemed with specie, but only in receipt of public dues. In New Orleans, they were received

* Samuel M. Williams to President of the Girard Bank, November 29, 1838. Contract with Dawson, Appendix to Journals of Fifth Congress, p. 202. Report of M. M. Potter, Chairman of Special Committee of the Texas Senate, January 22, 1854. It is not very creditable to Texas, that, after a lapse of more than fifteen years, these bonds are still unpaid.

tolerably well on their first issuance, in November, 1837; but by the spring of 1838, after the issuance of half a million, they fell to fifty cents in the dollar.

It was undoubtedly the true policy of Texas to sustain the credit of this paper, at least while it was used at all. To do this, it was necessary to limit the amount circulated. But the Texan Congress, forgetful of the sage maxims of experience, passed a bill in May, 1838, requiring the secretary of the treasury to issue as much more. The president vetoed the measure, and, among his reasons for so doing, he stated, as the cause for the original adoption of the plan, that Texas had just come out of a war in which she had achieved freedom and glory; "but the struggle had left us destitute and naked. There were no banks; there was no money; our lands could not be sold, and the public credit was of doubtful character. To avoid the absolute dissolution of the government, it became necessary to resort to some expedient that might furnish temporary relief." As the relief intended was only temporary, it was desirable, to make it efficient, that the issue of promissory-notes should be limited to the local demand, as it was impossible that such a currency could have credit abroad. The limited issues already made had raised the price of merchandise in Texas one or two hundred per cent. higher than in the United States, or in Mexico, or perhaps in any other country. The executive veto had the effect to prevent the enactment of the law, and to sustain the credit of the paper then out.*

The constitution of the republic provided that the first president elected by the people should hold his office for two years, and be ineligible to a re-election during the next term; while succeeding presidents should hold their office for three years, and be alike ineligible. As, under this provision, Houston's term would expire on the second Monday in December, 1838, the public had become interested in the election of his successor. M. B. Lamar and Peter W. Grayson were the candidates brought forward by their respective friends, and supported with considerable zeal. The Texan newspapers of that year abound in the same charges and denials, the same freedom and abuse of political discussion, exhibited in the press of the United States. Before the election, however, which was held on the 3d of September, Colonel Grayson put an end to his life, at Bean's station, in Tennessee. **Mirabeau B. Lamar**, his competitor, was elected president, with only a nominal opposition, and **David G. Burnet** was chosen vice-president.

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* House Journal, Texan Congress, May, 1838, p. 119.

The latter part of the year did not pass away without Indian disturbances. On the 10th of August, Colonel Karnes, with a company of twenty-one men, was attacked by two hundred Camanches, near the Arroyo Seco. The savages were defeated and routed with the loss of several warriors, while the Texans suffered no loss, except in the wounding of Colonel Karnes.

About the same time, there was a strange rebellion—if such it might be called—at Nacogdoches. On the 4th of August, a party of citizens went in pursuit of some stolen horses. They found them secreted in a Mexican settlement. On their return, they were fired on, and one of their number killed. Several persons then followed the trail of the murderers. It was soon found, from the size of the trail, that the number of Mexicans, as they were believed to be, was large, and the pursuers returned. On the 7th, Colonel John Durst reported to General Rusk that there were a hundred or more Mexicans encamped about the Angelina, under the command of Nathaniel Norris, Cordova, and Cruz. General Rusk made an immediate requisition for men. A company of sixty volunteers from the town of Douglass was posted at the lower crossing of the

Angelina. On the 9th, they reported that they had been fired on, and asked for assistance. This report proved to be incorrect, but the enemy was found to be posted on the right bank of the river. On the 10th, it was reported that the Mexicans had been joined by about three hundred Indians; and on the evening of that day their force amounted to six hundred men. On the same day, President Houston, then at Nacogdoches, received a letter from the Mexican leaders, disclaiming allegiance to Texas. Having done this, the malcontents set out on their march for the Cherokee nation. Houston, being advised of this movement, directed General Rusk not to cross the Angelina. Major Augustin was detached with one hundred and fifty men to follow the Mexican trail; while the main body of the Texans, under General Rusk, marched toward the head-quarters of Bowles, the Cherokee chief, whither he understood the enemy had gone. On reaching the Saline, he discovered that the insurgent leaders had fled to the upper Trinity, and that their followers had dispersed. This *emeute* was in every way remarkable, nor did any subsequent discovery explain its object. The leaders must have known that a successful revolution was impossible; and, after the rebels were embodied, they shed no blood, nor did they offer to do so. The movement probably arose, in the first instance, from that mutual want of confidence existing between the two races since 1835.*

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* "Redlander," September, 1838. The Mexicans having assembled at the Angelina, President Houston issued his proclamation on the 8th of August, requiring them to return to their homes, under the penalty of being declared enemies to the republic. To this proclamation their leaders sent the following reply:—

"The citizens of Nacogdoches, being tired of unjust treatment, and of the usurpation of their rights, can not do less than state that they are embodied, with arms in their hands, to sustain those rights, and those of the nation to which they belong. They are ready to shed the last drop of their blood; and declare, as they have heretofore done, that they do not acknowledge the existing laws, through which they are offered guaranties (by the proclamation) for

Again, on the 25th of October, 1838, at José Maria village (since occupied as Fort Graham), a bloody battle was fought by a number of Texans, under Colonel Neil, and a portion of the Camanches located there. After a fierce conflict, the Indians fled, leaving many of their warriors slain.* On the 20th of the same month a party of surveyors was attacked by the Camanches within five miles of Bexar, and two of them killed. A party of thirteen citizens went out to discover the enemy's intentions, when, three miles from the place, they were attacked by more than a hundred Indians. On being charged, the savages gave way, and then closed upon the Texans' rear, killing eight and wounding four of them.†

And again, on the 14th of October, General Rusk, at the head of two hundred men hastily levied, arrived at Fort Houston, on the Trinity, in pursuit of a motley collection of Indians and Mexicans, who had been committing depredations on the frontier. Learning there that the marauders were at the Kickapoo town, he marched to that place, and encamped at sunset, on the 15th. At daybreak, on the 16th, the engagement commenced, and continued for about fifteen minutes, when Rusk ordered a charge. It was instantly made, upon which the enemy fled, and were pursued for nearly a mile, leaving eleven

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their lives and properties. They only ask that you will not molest their families, promising in good faith to do the same in regard to yours.

"VICENTE CORDOVA,
"NAT. NORRIS,
"J. ARRIOLA,
"J. VICENTE MICHELI,
"J. SANTOS COY,
"A. CORDA,
"C. MORALES,
"JOSHUA ROBERTSON,
"JUAN JOSE RODRIQUEZ,"
and others.

"*August* 10, 1838."

Antonio Manchaca, who visited their camp, reported about one hundred and twenty Mexicans and twenty-five Biloxi and Ionaes Indians present, which number was no doubt correct.—*Manchaca's Report, August* 17, 1838.

* "Southwest American," August 18, 1838.

† "Telegraph," November 8, 1852.

dead on the field. The Texans had a like number wounded, but none killed.*

Thus the whole frontier was lighted up with the flames of a savage war. The immediate cause of these hostilities is to be found in the opening of the land-offices in the beginning of the year. Surveyors and locators, desiring to select the best lands, had gone out beyond the settlements, and began their operations. The Indians, seeing them at work, were not slow to believe what the Mexicans had told them—that the white people would take all their hunting-grounds, and drive them off. Their attacks upon the frontiers were in resistance of this movement.

The third Congress convened on the 5th of November, and appointed a joint committee to wait on President Houston and inform him that the two houses were organized, and ready to receive any *written* communications he might wish to make, which duty was performed. As the constitution declared that the president "should, from time to time, give Congress information of the state of the republic, and recommend for their consideration such measures as he might deem necessary," without specifying in what mode he should do it, he did not concur with them in this interpolation upon that instrument. He replied to them very briefly, transmitting the reports of the several departments, and thus concluded: "Had no restriction been placed by the resolution on the right of the president to select the *mode* in which he would convey proper intelligence to Congress, and 'recommend such measures as he might deem necessary,' he had important information to lay before the honorable body, and would have rendered it with pleasure, under the constitutional right secured to him, and in discharge of his duties; but, for reasons which to his mind are satisfactory, he declines for the present any further communication." This brought the two departments of the government to a stand. The house of representatives, in which the interpolation originated, had got into an awkward position. A motion was made to retrace their steps, but consistency prevented. A committee was appointed, which reported favorably to the *written* message. Still it did no good: the constitution spoke for itself; and it was well known that, under a like clause in the constitution of the United States, the first two presidents had delivered their messages in person. To supply the want of such information, various calls were made and answered on specific points.

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* Rusk to Parker, October 23, 1838.

The report of the secretary of the treasury, for the year ending September, 1838, exhibited a net revenue from imports of over two hundred and seventy-eight thousand dollars; a circulation of promissory-notes to the amount of six hundred and eighty-four thousand dollars; a funded debt of more than four hundred and twenty-seven thousand dollars; and unpaid audited claims amounting to over seven hundred and seventy-five thousand dollars. The exact aggregate of the last three items shows the indebtedness of the republic at that time to have been one million, eight hundred and eighty-six thousand, four hundred and twenty-five dollars.*

The financial condition of Texas was greatly improved, notwithstanding the revolutionary debt was pressing upon her. Her people had been engaged in agriculture, and immigration had enhanced the value of lands and provisions. Those who had to sell, found a ready market. Measures were taken to collect a direct tax, though as yet nothing had been thus realized. As the new-comers now constituted a majority of the inhabitants, the control of affairs fell pretty much into their own hands. They were ardently desirous to be annexed to the mother-country, and, the better to attain this object, it was deemed by some to be good policy to withdraw the proposition of annexation from the cabinet at Washington. This course was recommended by President Houston to the second Congress, but failed by a close vote. In the Congress of the United States, the question of annexation had been warmly discussed, the subject of slavery forming an extensive element in the opposition. While the American government could not, in good faith to Mexico, accede to the proposition, as long as there was the least prospect of the latter power carrying on the war against her revolted province, she was yet very kindly disposed toward the government and people of Texas. The convention for running the boundary-line was settled, and kind offices in every way extended. The Texan policy of withdrawing the proposition for annexation, reducing her duties on imports, and thus inviting a profitable commerce with Great Britain and France, was admirably calculated to excite the jealousy of the disaffected portion of the United States, and to hasten that union which the young republic seemingly repelled. We shall see the effect of this policy.

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* Mr. Gouge is particularly severe upon the financial operations of Texas at this period. He ought to have remembered that "poor people must do as they can;" and that speculators, seeing at that time the necessities of the young republic, plundered her without mercy.—*Fiscal History of Texas*, p. 82, *et seq.*

Among the distinguished dead of Texas this year may be mentioned James Collingsworth and John A. Wharton. Collingsworth was the first chief-justice of the supreme court of the republic. He was a man of fine talents, great urbanity, and a devoted and valuable friend to Texas in her struggle. He had a pleasant wit, was a most admirable companion, and of scrupulous integrity. He had emigrated to Texas to rid himself of a false habit, which unfortunately pursued him, and brought him to a premature grave. John A. Wharton had come to Texas in 1829. Throughout her long contest with Mexico, she found no truer or more gallant defender. He died just as President Houston's first term was expiring. A reference to the letter written by him to Houston in 1829, inviting him to Texas, and to the distinguished part subsequently taken by each in the affairs of their adopted country, will afford materials for solemn reflection. Collingsworth and Wharton were both from Nashville, Tennessee.

CHAPTER IX.

On the 9th of December, 1838, the ceremony of the inauguration of President Lamar occurred in front of the capitol, and in the presence of an immense concourse of people. After the valedictory of President Houston, General Lamar delivered his inaugural address.[*] In that well-written paper, he says: "The character of my administration may be anticipated in the domestic nature of our government and the peaceful habits of the people. Looking upon agriculture, commerce, and the useful arts, as the true basis of all national strength and glory, it will be my leading policy to awaken into vigorous activity the wealth, talent, and enterprise, of the country; and, at the same time, to lay the foundation of those higher institutions for moral and mental culture without which no government on democratic principles can prosper, nor the people long preserve their liberties." On the subject of annexation, he remarked: "I have never been able myself to perceive the policy of the desired connection, or discover in it any advantage, either civil, political, or commercial, which could possibly result to Texas. But, on the contrary, a long train of consequences, of the most appalling character and magnitude, have never failed to present themselves whenever I have entertained the subject, and forced upon my mind the unwelcome conviction that the step, once taken, would produce a lasting regret, and ultimately prove as disastrous to our liberty and hopes as the triumphant sword of the enemy."

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[*] "It was received," says the Telegraph, "with general approbation. It was pleasing to notice the remarkable degree of confidence and esteem that was everywhere manifested toward President Lamar. He is almost unanimously regarded as the pride and ornament of his country; and from his administration the most fortunate results are expected."—*Telegraph, December* 12, 1838.

Shortly after the inauguration of the new president, the people of Texas were gratified with the intelligence of the capture of Vera Cruz. The blockade by the French not availing to bring the government to terms, Admiral Baudin despatched a messenger to General Rincon, the Mexican commandant, informing him that he was about to attack the castle of San Juan d'Ulloa. This fortress, situated on an island in the harbor, was defended by one hundred and sixty pieces of artillery and about five thousand men. The bombardment commenced about two o'clock in the afternoon of the 27th of November, and was so well directed, that in four hours, after a loss of six hundred men in killed and wounded, the Mexicans capitulated, marched out of the castle, and the French took possession. By permission of the victors, a small Mexican force was allowed to remain in the city to preserve order.

President Lamar sent in his message to Congress on the 21st of December. It was lengthy, and, with the exception of some historical inaccuracies, well written. He laid down his course of policy with great frankness. Among the measures recommended was a national bank, to "be the exclusive property and under the exclusive control of the republic."—"Such a bank," says he, "incorporated for a suitable term of years, founded on a specific hypothecation of a competent portion of the public domain, which should be immediately appropriated to that purpose, with the additional guaranty of the plighted faith of the nation, and an adequate deposite of specie in its vaults, would, it is confidently believed, confer many eminent and continued blessings upon the country."* Happily for Texas, there was too much of the democratic element in her councils to adopt this exploded policy. Her statesmen had learned in the older states many valuable lessons on this subject: among them, that a paper currency was not money, and that it could not represent money, unless there was, at a convenient point, *money* to be represented by it; that Texas had no money, and could only obtain it honestly by paying a consideration; that her credit was already exhausted, and could not be further extended except at ruinous rates of interest, in which the lender was paid as well for the risk he run as for the money he loaned. In addition to these facts, they had just witnessed a terrible conflict in the United States between a national bank and one of the most popular of her presidents, in which the victory was long suspended. Such an institution in Texas, even had it been possible to procure a specie basis, would have proved a source of boundless political corruption.

President Lamar further stated that, "when the bank shall have fully gone into operation, and developed its satisfactory influences on the pecuniary transactions of the country. . . it is hardly conceivable that any fortuitous combination of events could occasion an extensive demand for the metals. The ordinary current wants of the country would be regularly supplied; and it is not probable that any respectable merchant or other capitalist would risk his character, either to gratify his spleen or his avarice, by getting up a captious run on a sound and solvent bank, which involves the reciprocal relations of citizens and country, and is an object of universal patriotic pride and endearment." During the war of the American Revolution, when the continental paper, for the redemption of which the public faith was pledged, had become so depreciated, that purchases could scarcely be made with it, the Congress resolved that any one who should refuse to receive it at par in business transactions should suffer a certain penalty. Yet neither the character nor patriotic pride of the merchant or capitalist, nor the penalties of the law, induced them to take it at par. As a marketable commodity, it passed at the market price; and, to demand and enforce more, was robbery.

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* Mr. Gouge's comments on this portion of the message are quite appropriate. —*Fiscal History of Texas*, p. 89.

—However, the message went to the Texan Congress for its consideration.

To bring up properly the events of 1839, we must recur to what was done in Mexico. The agreement between Admiral Baudin and General Rincon, the commandant at Vera Cruz, was not ratified by the Mexican government: on the contrary, Santa Anna was despatched with five thousand troops to drive the French out of the place. In attempting this, he lost his leg, together with many of his troops. On the 9th of March, 1839, a treaty was made between Mexico and France, which, being shortly afterward ratified, the French forces left the territory of the republic, and the gallant admiral paid Texas a visit on his way home.*

The federal party in Mexico, taking advantage of Bustamente's engagements in repelling the French, declared for the constitution of 1824. The civil war thus ensuing raged over a great portion of the confederacy, with more or less success on the part of the insurgents. In Tampico, they routed the centralists under the command of General Piedras (formerly well known at Nacogdoches), and disposed of that officer after the Mexican fashion. About this time, General Mexia arrived at Tampico, and found Urrea in command of the federalists.

* Baudin's order of the day, March 29, 1839.

These two chiefs, having raised a considerable force, set out for the capital. In the meantime, Bustamente assumed the command of the army in person, leaving Santa Anna to act as president in his absence. He marched to encounter the federalists, and met them about the first of May, at Acajete, near Puebla, where a terrible battle ensued, in which the federal army was totally defeated. General Mexia was captured, and, of course, immediately shot, while Urrea fled for his life. The civil war was, in fact, by this contest, virtually ended, though much strife and bloodshed continued on the frontiers.

The Mexican federalists were well disposed toward Texas, and their leaders did not fail to keep up a correspondence with the republic. A trade of some importance sprang up between Bexar and the Rio Grande. Indeed, Texas was so much deceived by these evidences of friendship, that she thought negotiations might be started for a peace. With this view, Barnard E. Bee was despatched as a minister to Mexico, and the Texan minister at Washington was instructed to engage the mediation of the United States, and the good offices of Mr. Fox, the British minister there, to bring about the same end. Mr. Forsyth, the secretary of state, did write to Mr. Ellis, to inquire of the Mexican government whether the mediation of the American cabinet was desired; and Mr. Fox promised to write to Mr. Pakenham, the British minister in Mexico, favorably to the claims of Texas.* Mr. Dunlap, the Texan minister at Washington, also had some confidential conversations with Señor Martinez, embassador to that government from Mexico, on the same subject. The latter conversed quite frankly; but Mr. Dunlap was somewhat too strong in his demands when he spoke of extending the western boundary of Texas to the Pacific, so as to include the fine harbor of San Francisco! He also wrote Señor Martinez a letter, recapitulating the topics of their conversation. Martinez answered him very politely, but not as a minister, and promised to send his letter to the Mexican government.*

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* James Webb to Richard G. Dunlap, March 14, 1839. Richard G. Dunlap to J. P Henderson, May 24, 1839.

As these diplomatic movements seemed to be predicated upon the success of the federal party in Mexico, they were completely checkmated by the battle of Acajete, referred to on the previous page. It was the centralist party that first made war on Texas; it was the centralist party which she had so signally overwhelmed; and it was still with that party—proud, bigoted, and impotent, as it was—that she had to deal. The Texan minister was not received, nor did he even present his papers.†

Previous to the French attack on Vera Cruz, and the civil war in Mexico, that government had commenced a system, which, if it had been carried out as was intended, would have been most disastrous to Texas. Its object was to turn loose upon her all the Indian tribes upon her borders, from the Rio Grande to Red river. Of this fact the Texan government obtained undoubted evidence. Before the revolt of the Mexicans at Nacogdoches, Vicente Cordova had been in correspondence with the enemy at Matamoras. In July, 1838, he addressed a letter to Manuel Flores, the Indo-Mexican agent at Matamoras, stating that he held a commission from Filisola, to raise the Indians as auxiliaries to the Mexican army, and had already entered on his duties. He wished to co-operate with Flores, and have an understanding with him as to the mode of procedure; and for that purpose he desired, if possible, to have a meeting and personal consultation.* Cordova wrote to Filisola on the 29th of August and the 16th of September, 1838, from the head-waters of the Trinity, giving him an account of his progress. The departure of Flores from Matamoras was, from some cause, delayed till the spring of the following year. In the meantime, on the 27th of February, 1839,† Brigadier-General Canalizo, who had succeeded Filisola at Matamoras, sent his instructions to Cordova—the same that had been given to Flores—to excite the frontier Indians to make war on Texas. He said it was in the power of the Indians, and also for their interest, to prevent the Texans from taking advantage of the troubles in Mexico; that they must not trust to flying invasions, but to operations having a more permanent effect—causing, if not daily injury, at least perpetual alarm and inquietude to the enemy, and depriving them of their commerce, the spoils of which were to go to the Indians. While the savages were to be cautioned not to go near the boundary of the United States, they were to occupy the line of Bexar, about the Guadalupe, and from the source to the mouth of the San Marcos. "This position," continues Canalizo, "is the most favorable for the friendly Indians (as well as for the friendly Mexicans), in order that they shall have the enemy in front only, keeping a friendly and generous nation as Mexico *in the rear*." They were not to cease to harass the Texans for a single day—"to burn their habitations, to lay waste their fields," and, by rapid and well-concerted movements, to draw their attention in every direction; and if the Texans should assemble in considerable bodies, the Indians were directed to hang about them in small parties, and to harass them day and night, endeavoring at every cost to cut off (steal) their horses. The instructions to Cordova were to be sent to him, and he and Flores were to have an interview as soon as possible. They were required, however, to extend humane treatment to defenceless persons of both sexes and of all ages. They were to pursue and punish all Indians friendly to the Texans, and all Mexicans who traded with them. Canalizo, in his letter to Cordova, informed him that, as soon as the hostilities with France should terminate, the Mexican army, greatly increased, would proceed to recover Texas. Flores had messages from Canalizo to the chiefs of the Caddoes, Seminoles, Biloxas, Cherokees, Kickapoos, Brasos, Twowokanaes, and perhaps others, promising them the lands on which they had settled, and assuring them that they need "expect nothing from those greedy adventurers for land, who wish even to deprive the Indians of the sun that warms and vivifies them, and who would not cease to injure them while the grass grows and water runs."

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* R. G. Dunlap to F. P. Martinez, October 8, 1839. F. P. Martinez to R. G. Dunlap, October 9, 1839.

† The Vera Cruz "*Censor*" spoke thus of the Texan minister when off Sacrificios: "We do not know which [illegible] to admire, the audacity of those brigands in sending us their pedler to ask us to allow the peaceable possession of their robbery, or the answer the commandant-general gave to the individual who apprized him of the arrival of this quixotic embassador. From the tenor of the reply, it appears that, if he lands, he will be accommodated with lodgings at the prison. Nevertheless, the supreme government will designate what ought definitely to be done. The commandant says he is not aware of the existence of a nation called the 'republic of Texas;' but only of a horde of adventurers, in rebellion against the laws of the government of the republic."

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* This letter, among other papers, was found on the person of Flores when he was killed.

† Senate Document No. 14, Thirty-second Congress, second session, p. 33. This letter from Canalizo to Cordova is dated "1838" in the printed document, and also in the copy sent from Texas to Mr. Dunlap, her minister at Washington. It should be 1839. It refers to the hostilities with France, which did not occur till after its date. And another fact should be borne in mind: Canalizo was not in command at Matamoras at that time.

Such were the instructions under which Commissioner Flores set out on his mission. Cordova had been hanging about the Indian camps high up on the Trinity and Brasos rivers, his followers greatly reduced. On the 14th of May, Flores and his party of twenty-five marauders, about half of whom were Indians, passed between Seguin and Bexar, where they committed some murders. They were pursued by Lieutenant James O. Rice and seventeen men, who overtook them on the San Gabriel fork of Little river, about fifteen miles from Austin. Rice and his party attacked and killed Flores and two others, and put the balance to flight, who left behind them their plunder, consisting of three hundred pounds of powder, a like quantity of shot, balls, and bar-lead, and more than a hundred mules and horses.* But, what was of most importance to Texas, the correspondence before referred to fell into the hands of the victors. How many Indian tribes had been supplied previous to this capture, we can not tell. The discovery of this correspondence was a most fortunate thing for the republic; for, had the insidious plots of the enemy been carried out, and the flames of a savage war spread along the entire frontier, followed by an invasion from Mexico, it would have done her a serious injury. Such was doubtless the intention of Mexico; and it was a courageous resolve in the authorities of that nation to place the Indians *in front*. They reasoned, no doubt, that, by the time their savage allies had stolen the horses of the Texans, ravaged their fields, and burnt their habitations, the main body of the invading army could succeed better in the reconquest of the revolted province.

It will be observed that Canalizo, in his instructions, directed that no approach should be made toward the frontier of the United States. There was but one dangerous tribe of Indians in that direction — the Caddoes. A portion of this tribe had been taken by General Rusk in November, 1838, disarmed, and handed over to their agent in Shreveport, where they entered into a treaty to remain until the war between Texas and the balance of the tribe should cease.† These Indians, and in fact some of the tribes in Arkansas, had been under the influence of Cordova.

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* Senate Document No. 14, Thirty-second Congress, second session, p. 26.

† E. Burleson to the Secretary of War, May 22, 1839.

That chieftain, making his way westward with between sixty and seventy Mexicans, Indians, and negroes, encamped on the 26th of March at the foot of the Colorado mountains. Colonel Burleson, getting news of him, collected eighty men, started on his trail, and overtook him on the Guadalupe. After the first fire, the enemy fled, and were followed for four miles, when night prevented further pursuit. Twenty-five or thirty of them were killed, but their leader made his escape to the Rio Grande. Thus terminated the mission of Flores and Cordova. But the spirit of war thus awakened in the Indians was not so easily allayed.

On the 25th of January, 1839, three companies of volunteers were organized in the upper settlements on the Colorado, and placed under the command of Captain John H. Moore, with orders to march against the Camanches. They proceeded up the Colorado until the 14th of February, when they arrived within ten miles of the Indian village. After nightfall, they marched cautiously to within about a mile of the village, where they dismounted, tied their horses, and sent eight mounted Lipan Indians to *stampede* the Camanches' *caballada*. The main body of the rangers, having advanced to within three hundred yards of the enemy, were discovered. This was just at daybreak. Captain Moore now ordered a charge. It was promptly made, the troops throwing open the doors of the wigwams, or pulling them down, and slaughtering the enemy in their beds. The Camanches retreated to a bend in the bayou, and formed for defence. The smoke had so increased the darkness, that the Texans retired for a few moments to reload their pieces. They had scarcely formed, however, when the Camanches charged them in front and flank. These onsets continued, at short intervals, until ten o'clock, when the fire of the Indians came from a greater distance. Captain Moore sent ten men to reconnoitre, who reported the enemy to be very numerous. About half-past eleven o'clock, the Indians ceased firing; and the Texans, believing their force was insufficient to drive them from their secure position, retired to their horses, a mile below. In fifteen minutes after their arrival, however, they were surrounded by from three to five hundred of the Camanches, who opened a fire on them. This the Texans soon silenced, when the Indians sent in a flag, stating that they had five white prisoners—a woman and four children—probably hoping for a sale or an exchange. The fight was not renewed. Captain Moore had in his command sixty-three white men and sixteen Lipan Indians, and had one killed and six wounded. The Camanches lost about thirty killed, and a like number wounded.*

About the last of February, a party of Indians, having committed several murders† some twelve miles above Bastrop, were pursued and attacked by about fifty Texans. The savages having the advantage of position, the whites fell back; but being reinforced by thirty more, under Colonel Burleson, they again advanced. The Indians took a good position, and the fight commenced at one o'clock in the afternoon. The Indians were greatly superior in numbers, and continued the conflict until dark, when they retreated, having twenty or thirty killed. The Texan loss was three killed.

On Sunday, the 27th of May, Captain John Bird, having marched from Fort Milam to Fort Smith, on Little river, discovered Indians near the latter place. At one o'clock in the afternoon, Captain Bird, with thirty-five in rank and file, proceeded against them. After a march of five miles, they came in sight of twenty-seven Indians. Pursuing them three miles farther, they found themselves within a hundred and seventy-five yards of the enemy, arrayed in order of battle. The Texans charged upon them, both parties being mounted, and kept up the pursuit for three miles, but to no purpose, for the savages could not be overtaken. The Texans then returned; but after retracing their steps for half a mile, they were suddenly surrounded by about forty Indians, who shot their arrows from every direction. The Texans made for a ravine six hundred yards in front, which they succeeded in reaching, in spite of the desperate attempts to prevent them by the savages, who now retired to the top of a hill three hundred yards distant. In about half an hour, the Indians advanced in full view, having their number increased to some two hundred and forty. They raised the war-whoop along their whole line, and charged upon the ravine with fearful yells. The Texans gave them a deadly reception, and they retired again to the hill, carrying off their dead and wounded. A second desperate charge was made, and was again repulsed with a like list of killed and wounded. After a fight of more than an hour, the Indians retreated to the hill, with a heavy loss of men and horses. Darkness coming on, both parties retired. The Texans lost five killed, among whom was their gallant captain, and had two wounded. The loss of the savages was supposed to be thirty killed.*

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* Report of the Secretary of War, November, 1839, p. 42.

† Among these murders were the killing of Mrs. Coleman and her child.—*General Burleson to the Secretary of War, March* 2, 1839.

In the hostile movements of this year, our attention is called to the war with the Cherokees. Agreeing with President Lamar as to the destiny of this people, we will refer to some of the facts and discussions on the subject.

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* Report of Nathan Brookshire, commanding, May 31, 1839.

The treachery of Cordova, and the warlike demonstrations of the Indians in eastern Texas in 1838, are already before the reader, and their causes known. The president, in his message of the 21st of December, 1838, assumed the position that the immigrant Indian tribes had no legal or equitable claim to any portion of the territory included within the limits of Texas; that the federal government of Mexico neither conceded nor promised them lands, nor civil rights; that it was not necessary to inquire into the nature and extent of the pledge given to the Cherokees by the consultation of 1835 and the treaty of February, 1836, consequent upon it, for the treaty was never ratified by any competent authority.

Now the facts are, that in 1822, long before any colonist had settled in eastern Texas, or any colony contract had been made for that section, the Cherokees emigrated to Texas. They established a village north of Nacogdoches—the town, at that time, being a waste, lately swept by the forces of Long and Perez. On the 8th of November of that year, the Cherokees, by Captain Richard and others of their head men, entered into an agreement with the government of Texas, by which it was stipulated that certain Cherokee chiefs should proceed with their interpreters to Mexico, to treat with Iturbide for the settlement of their tribe where it was then located. In the meantime, the agreement guarantied to the Cherokees the free and peaceful right to cultivate their crops, and the privileges of natives. The chiefs proceeded to Mexico, and the imperial government having satisfied them—whether verbally or in writing is immaterial—they returned. An order from the supreme government was despatched to the commandant-general of the eastern provinces, and by him to the governor of Coahuila and Texas, dated August 15, 1831, and by the latter to the political chief of Bexar, dated September 1, 1831, directing a compliance with the promises made by the supreme government to the Cherokees. The governor states in his communication that, "for the preservation of peace with the agricultural tribes, he had offered them their establishment on a fixed tract of land, and they had selected it." He requested the political chief to put them in possession, with corresponding titles. The political chief, on the 25th of September, replied that the matter should be attended to in accordance with the prescribed forms. Again, on the 22d of March, 1832, Colonel Piedras was commissioned by the political chief to put the Cherokee families into individual possession of the lands they possessed.* Whether there was any actual, written title, is unknown and immaterial. In the *empresario* concession afterward made to David G. Burnet, and including part or all of their settlement, the lands already appropriated were excepted from those to be occupied by the colonists under Burnet.

For fourteen years the Cherokees had occupied this land, holding it in quiet and undisputed possession. They were not intruders on the whites, for they were there first. The Mexican authorities recognised them, as an agricultural tribe, with Mexican privileges, and Colonel Bean was official agent for them, in common with other tribes. No voice had been raised against their title. It was deemed by all both *legal* and *equitable*. To give weight and dignity to this title, the consultation of November, 1835, at a time when Texas was weak, when a heavy cloud hung over her hopes, and her liberties were suspended upon a most unequal and unjust war, made a very solemn pledge to those Indians, acknowledging their just claim to their lands, setting forth the boundaries thereof, and saying further: "We solemnly declare that we will guaranty to them the peaceable enjoyment of their rights to their lands as we do our own. We solemnly declare that all grants, surveys, or locations of lands, within the bounds hereinbefore mentioned, made after the settlement of the said Indians, are, and of right ought to be, utterly null and void." To make it, if possible, still stronger, the consultation resolved that each member sign it as a "pledge of the public faith, on the part of the people of Texas." And they did sign it: the names of Wharton, Waller, Martin, Houston, Zavala, Patrick, Henry Smith, Grimes, J. W. Robinson, Mitchell, and Millard, among others of the distinguished worthies of the Revolution, were placed by themselves to that pledge. Surely they did not intend to deceive the Indians by thus purchasing their neutrality until the war was over, when they, having no further need of them, would declare that the Indians had no title either *legal* or *equitable*. The suggestion that the consultation had no power to make such pledge is preposterous. The members of it had power to adhere to the constitution of 1824, or to sever from it; the assembly was organic, primitive, revolutionary. Twenty or thirty thousand people were defending themselves against eight millions. They met, by their representatives, for general consultation. They found a nation of Indians in their midst, advanced in civilization, and having an influence over other tribes. These Indians had occupied the country first, and it was important to conciliate them. This was done by the pledge given. It is a rule in ethics that the promiser is bound by what he believed the promisee understood by the promise. No mental reservation or technical objection can avoid this moral conclusion. From all which the result is, that President Lamar's message, in this respect, is unsupported by history, as by the good faith of Texas toward those Indians.

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* Report of the Committee on Indian Affairs, Texas Senate, January 22, 1840.

On the other hand, it was impossible that the Indians should have an independent government within that of Texas. They must necessarily come under the laws of the latter, or emigrate. It was not proposed to them that they should come under the Texan laws as citizens. The great object of many was to get their lands, for they were located in a fine and desirable country. The Texans were the first violators of the pledge of 1835. The ink was scarcely dry on the paper, when locators and surveyors were seen in their forests; and this, too, notwithstanding the consultation, by the decree of November 13, 1835, had ordered such locations and surveys to cease all over Texas.

But it is useless to dwell further upon the subject. The Cherokees were charged with the plunder and murder of many of the inhabitants residing among them and in their vicinity. The Killough family were cruelly massacred; only three or four escaped, and they were brought into the settlements by the Cherokees, who, by their "cunning representations," says the secretary of war, charged these acts upon the prairie Indians and the treacherous Mexicans. To prevent such occurrences, Major Walters had been ordered with two companies to occupy the Neches Saline, not only to watch the Cherokees, but to cut off their intercourse with the Indians of the prairies. Bowles, the Cherokee chief, notified Major Walters that he would repel by force such occupation of the Saline. As the major's force was too small to carry out his orders, he established his post on the west bank of the Neches, out of the Cherokee territory.*

Colonel Burleson, who was then collecting a force on the Colorado, to operate against other Indians, was directed to march his troops lower down, so as to be ready, on the shortest notice, to enter the Cherokee territory. In the meantime, the government came in possession of the papers of Manuel Flores, including letters addressed to *Big Mush* and Bowles, the chiefs of the Cherokees.* On their reception, Burleson was ordered to increase his force to four hundred men, and march into the Cherokee nation. He reached the east bank of the Neches on the 14th of July; and, about the same time, Colonel Landrum's regiment from eastern Texas arrived there. The Nacogdoches regiment, under General Rusk, had arrived some days before, and taken position near the Cherokee village. The entire force was placed under the command of Brigadier-General Douglass. Commissioners had, for some days, been in conference with the Cherokees, to effect, if possible, their peaceable removal. The commissioners offered to pay them fairly for their improvements, but we have no information that any offer was made for their lands. The Indians were required to surrender their gun-locks, and remove to their brethren in Arkansas. At noon, on the 15th of July, all further attempts to make a treaty were abandoned, and General Douglass was directed to put his troops in motion. The council-ground was about five miles below the Indian camp. When the Texans arrived there, the Cherokees had retreated about seven miles farther up the river. They were pursued, and a company of spies, which first came in sight of them, was fired on. The Indians displayed their forces on the point of a hill, having a ravine and thicket on the left. General Rusk motioned to them to come on; they advanced and fired four or five times, and immediately occupied the ravine and thicket on the left. The main body of the Texans coming up in the open prairie, now formed, and the action became general. The Texans charged the ravine, and advanced up from the left. A portion of the Indians, who were attempting to approach the troops on their right flank, were repulsed. The Cherokees fled when the charge was made, leaving eighteen dead on the ground. The Texans had three killed and five wounded. The engagement commenced a little before sunset, and the pursuit ended at night.

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* Report of the Secretary of War, November, 1839, p. 6.

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* It is inferred from these documents, found on Flores, and addressed to the Cherokee chiefs, that the latter were in correspondence with the Mexican authorities. I have before me the original papers sent them by Canalizo: they are directed to "*Señor Vixg Mas, Gefe de los Charaquies*"—"*S'or Teniente Coronel Vul.*" It is remarkable, if the alleged correspondence had existed, that their names were not better known. The fact that *Big Mush* was addressed as *chief*, and Bowles as *lieutenant-colonel*, shows how slight was their acquaintance with these chiefs.

On the morning of the 16th, the troops proceeded on the trail made by the Indians the night previous. In the afternoon they were found strongly posted in a ravine, half a mile from the Neches, and seemed eager for a fight. While the Texan advance was dismounting, the Indians commenced the action, killing several horses and one man, before their opponents could form, but they were soon driven by the advance into the ravine. The Indians were protected by a ravine and a thicket in their rear, while the Texans had to advance upon them through an open wood and down a hill. The main body coming up, was formed, and the firing commenced at the distance of one hundred and fifty yards. The Texans kept advancing and firing until within fifty yards of the ravine, when, upon a signal, they charged. When they reached the ravine, the Indians fled, and retreated into the dense thicket and swamp of the Neches bottom. The charge was gallantly continued into the swamp, but the enemy made no stand. Thus ended the conflict of the 16th. It lasted an hour and a half, and was well contested by the Indians. The Texans lost five killed and twenty-seven wounded. The loss of the Cherokees was probably a hundred killed and wounded, and among the former was their distinguished chief Bowles. In the official report of the action, he was styled "the long-dreaded Mexican ally Colonel Bowles." In these two contests there were engaged about five hundred Texans and eight hundred Indians.*

The trail of the retreating Cherokees was followed for some days. Several Indian villages were passed, their "extensive cornfields cut down and their houses burnt." On the evening of the 25th, further pursuit being useless, the secretary of war, who accompanied the expedition, directed the troops to be marched to their homes, and mustered out of service. "For eighteen months afterward," says a worthy officer† in those engagements, "the Indians came back in small parties, and committed fearful depredations upon the lives and property of the people on the frontiers."

In the march of General Douglass, he passed the villages of nearly all the civilized Indians. He says: "The Cherokees, Delawares, Shawnees, Caddoes, Kickapoos, Biloxies, Creeks, Ouchies, Muskogees, and some Seminoles, had established during the past spring and summer many villages, and cleared and planted extensive fields of corn, beans, peas, &c., preparing evidently for an efficient co-operation with the Mexicans in a war with this country." It was very natural to infer, from these agricultural labors, that the Indians were preparing for a war against Texas; but neither their plans nor crops were permitted to mature. He speaks also of the Indian territory through which he marched, and says that, "in point of richness of soil, and the beauty of situation, water, and productions, it would vie with the best portions of Texas."

Thus the vexed question with regard to the civilized Indians was settled, and there could be no hindrance to surveyors or settlements on their fine lands. The previous administration had endeavored, by treaties and presents, to conciliate all the frontier Indians: this had pursued a sterner policy. It had, in all the conflicts, killed about three hundred warriors, leaving five thousand more, all exasperated against Texas, and ready to unite with her great enemy against her. However, the main point was to secure the rights, property, and lives, of the Texans; and if that was more thoroughly effected by war, so much the better for the republic. As to the rights of the Indians, much has been said and written in regard to them. Perhaps the excuse offered by Cicero, for the extension policy of Rome, is the best for us—that "*no people have a right to the soil, who do not know the use of it.*"

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* Reports Nos. 8 and 16 of General K. H. Douglass, referred to in the Secretary of War's Report, November, 1839. Statements of Major Wortham and Dr. Jowers.

† Major John Wortham.

In the conduct of the war, the Texan troops behaved with their accustomed gallantry; and among their leaders should be particularly noticed General Rusk and Colonel Burleson—the one in the east and the other in the west—and both ready at a moment's warning to fly to an exposed point. They will be long remembered in Texas as the defenders of her frontiers.

In accordance with the contract with Frederick Dawson, the Texan government received, on the 27th of June, 1839, the schooner *San Jacinto;* on the 7th of August, the schooner *San Antonio;* on the 31st of August, the schooner *San Bernard;* and, on the 18th of October, the brig *Colorado.* A corvette and a brig were yet wanting to complete the contract, but were confidently expected by the end of the year.* On the 23d of March, was also delivered the steamship-of-war *Zavala*, purchased by General Hamilton, agent, of James Holford. These vessels, with the *Charleston*, undergoing repairs, and the receiving brig *Potomac*, constituted the navy of Texas, and with which the secretary of the navy said, "it was confidently believed that, in a very short time after the navy should have received orders for capture and reprisal, it would be enabled to afford a source of *revenue* to the government, equal to the amount which had been expended for its creation." It would have been well for Texas if these anticipations had been realized; for the cost of this navy was nearly eight hundred thousand dollars, paid with the bonds of the government, as she had but little money. The expenditure for naval purposes during the first nine months of 1839 was nearly sixty thousand dollars; and the estimate of appropriations for one year from the 30th of September, 1839, was upward of half a million of dollars.*

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* Report of the Secretary of the Navy, November 8, 1839.

The European relations of Texas were doing well. J. P. Henderson, the commissioner sent out to England and France, to obtain from those powers an acknowledgment of her independence, had succeeded, in 1838, in making a commercial arrangement with Great Britain—with the reservation, however, that "until they formally recognise Texas, they will consider her as a part of Mexico." In November of that year, he concluded a like arrangement with France, but without any reservation whatever, Texas being spoken of by her as a nation, and her authorities as a government.† The new republic did not at that time create any very great sensation in Europe, and the statesmen of those old governments made little inquiry into her condition. Mexico was largely indebted to British capitalists, and the latter wished Texas to pay a share of those debts before she was cut loose from the parent-country. Besides, the slave-question presented an obstacle on the part of some, particularly O'Connell, of Ireland, who was eloquent and boisterous in his opposition. The government of France gave little heed to the subject of Texan independence, but did not care to offend that of Great Britain by precipitate action. Count Molé, the French premier, saw at once that Texas would become a part of the United States, and said it was only a question of time. The French embassador at Washington was, however, directed to send an agent to Texas, and ascertain what sort of a country and government it was. Accordingly, the minister despatched M. Saligny, one of his *attachés*, on this mission, upon whose report the government of Louis Philippe finally, on the 25th of September, 1839, entered into a treaty with Texas, acknowledging her in every respect an independent nation.

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* Report of the Secretary of the Navy, November 8, 1839, Document C.

† J. P. Henderson to President Houston, November 10, 1838.

The Texan Congress, by an act approved January 14, 1839, appointed five commissioners to select a site for the capital of the republic. The commissioners—Albert C. Horton, Lewis P. Cook, Isaac W. Burton, William Menifee, and J. Campbell —made choice of the present location, on the east bank of the Colorado. The town was immediately laid off, extending a mile north from the river, and between Waller and Shoal creeks. Its situation, at the foot of the Colorado mountains, is lovely and romantic. It was at that time on the extreme frontier, the nearest settlement being at Bastrop, thirty-five miles below. On the west, the nearest settlement was San Antonio, distant about eighty miles. To Lavaca bay, one hundred and fifty miles distant, the only settlements were Gonzales and Victoria; to Houston, a distance of nearly two hundred miles, the only settlements were about Washington; while to those on Red river, nearly four hundred miles distant, the intervening country was alike unoccupied. The location was there made with a view of drawing to the west a population that would protect that frontier from the common enemy, and such was its happy effect. The town-lots of the new capital

(AUSTIN) were sold out in August; and, with the enterprise common to the people of Texas, buildings were soon erected. By the first of October, the offices of the government were transferred there; and in the following month the Texan Congress found itself deliberating in a comfortable hall, in that beautiful wilderness, almost within hearing of the Indian war-whoop![*]

The revolutionary movements set on foot in Mexico by the federalists, early in 1839, extended to the states bordering on the Rio Grande. General Anaya, the chief of the revolutionists on this river, having been put to death at Tampico, almost at the commencement of the outbreak,[†] General Lic. Antonio Canales and Colonel José Maria Gonzales, with their attendants and a detachment of armed *rancheros*, fled from the Rio Grande, and established their headquarters at Lipantitlan, on the Nueces. Canales, as commander of the federal forces, issued a proclamation, inviting the Texans to join him, promising them an equal division of the spoils, twenty-five dollars per month, and, to such as should serve during the war, a half-league of land. At this point he was joined by a number of Mexicans from the Rio Grande, and about one hundred and eighty Texans, the latter under the command of Colonel Reuben Ross, late aide to General Felix Huston, and Colonel Jordan, late a captain in the Texan service. Both these Texan officers were brave and efficient. On the 20th of September, 1839, Canales, with a force of six hundred effective men, including the Texans, took up the line of march, and crossed the Rio Grande on the 30th in two divisions—the northern under the command of Colonels Jordan and Zapata, and the southern under the chief himself and Colonel Ross. The order was given to surprise and attack the town of Guerrero, about three miles from the west bank of the river, and then occupied by General Parbon, with five hundred centralist regulars and four pieces of artillery. Some delay, caused by the difficulty in crossing the horses of the northern division, enabled the enemy to discover the intention of the federalists in sufficient time to make good their retreat from the town. Canales entered it on the 1st of October, and captured twenty prisoners; but without delay he proceeded after Parbon, who had marched down the river toward Mier. The federalists overtook him within six miles of the latter place, where he had entrenched himself; but during the night of the 2d he abandoned his entrenchments, and retreated toward Monterey. Canales sent out his spies, who reported that Parbon had taken his position for battle twelve miles southwest from Mier. The federal troops were immediately put in motion, and by eleven o'clock on the morning of the 3d they came up with the enemy. The report of a nine-pounder announced his readiness to fight. The impetuosity of the Texans broke through all restraint, and completely deranged and destroyed the plan of battle. Colonels Ross and Jordan exerted themselves in vain to enforce order among them: every man was an officer, and a host within himself, and fought on his own account! Besides the Texans, there were at that time, in the federal army under Canales, two hundred and fifty mounted *rancheros*, one hundred and ten infantry, and sixty Indians, the latter badly armed. But the eagerness of the Texans separated them from these forces, who were only spectators of the conflict. The Texans, within point-blank shot of the enemy, and partly protected by a gulley and a few mosquite-bushes, for some time kept up a brisk fire against his front. At length, seeing that their mongrel allies were doing nothing, Ross and Jordan gave the order to charge. The movement was executed and sustained with desperate bravery. The centralists stood their ground for some twenty minutes, when they gave way before the impetuosity of the Texans. The confusion and want of capacity in Canales, however, prevented him from taking advantage of the enemy's condition; and the latter was enabled to make good his retreat from the field of battle with his artillery and camp-equipage. Parbon sent a flag, requesting a cessation of hostilities for twelve hours, which being imprudently granted by Canales, he set out in the night and marched five miles to a stone *ranche*, a strong place where he could have defended himself against a greatly superior force. The Texans lost in the action of the 3d—known as the battle of *Alcantro*—fourteen killed and wounded. The enemy's loss was a hundred and fifty in killed, wounded, and missing.

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[*] President Lamar's Message, November, 1839. "Southwest American," 1852.

[†] General Anaya visited Texas in the spring of 1839, and declared his object was the establishment of the constitution of 1824. He was a man of talents and influence. I am principally indebted to the excellent Notes of the Federal Campaign of 1839, by Captain Thomas Pratt, an eye-witness and participant, for the present account.

Early on the morning of the 4th, the federalists set out in pursuit of Parbon. The Texans, in front, appeared before his position, and demanded a surrender. Their appearance in his front was so sudden and unexpected, that, not having procured water or provisions for his troops, he surrendered, delivering his sword to Major Joseph Doland, of the Texan forces. The major requested him to deliver it to General Canales. "No, sir!" replied Parbon; "to the brave Texans I surrender—they are my conquerors!" By this capitulation, the federalists made three hundred and fifty prisoners, who joined their ranks, and were reinforced by the captured artillery.

The victory of Alcantro, and the accession of the enemy's forces to the federal army, gave influence and stability to the cause of the latter, while it spread alarm and dismay among the centralists. Had Canales taken advantage of this happy juncture, he might have gained fresh laurels, and firmly built up his cause; but he remained inactive at Mier for forty days, during which time the enemy recovered from his panic, rallied his forces, and prepared to renew the conflict. Having enjoyed the *carnival* at Mier, Canales set out for Matamoras, distant about one hundred and sixty-five miles; and, after a tedious march of twenty-eight days, the federal army presented itself before that place on the 12th of December, being one thousand and sixty strong (including a hundred and fifty Texans), with four pieces of artillery. The centralists entrenched at Matamoras consisted of fifteen hundred regulars, having eighteen pieces of artillery, under the command of General Valentine Canalizo. On the 15th, a detachment of sixteen Texans and a like number of Mexicans, under Colonel Zapata, made an attack on one of the enemy's outposts, killed thirteen, and made good their retreat. This induced Canalizo to call in all his outposts. On the 16th, Canales called a council of war, and made known to it his intention to raise the siege, for the reasons that the centralists would not come out to meet him, and it was improper, under the circumstances, to attack them in their stronghold. He further alleged a scarcity of provisions, and a want of the necessary implements to carry on the siege. This decision of the commander offended the federal army, and especially the Texans, who offered to act as the forlorn hope in storming the town; but the proposal being rejected, Colonel Ross, with fifty of the Texans, withdrew and retired to their homes.

On the same day, Canales raised the siege, and set out for Monterey, where he expected to obtain a supply of ammunition, as the town was weakly defended by the centralists. On the 22d of December, the federal army reached Caderita, within twenty-five miles of Monterey, where they received an abundance of provisions, and a contribution of five dollars to each soldier. On the 23d, they continued their march; but learning that the centralists in Monterey had received a reinforcement of sixteen hundred men, they halted and entrenched within six miles of the city.

General Arista, who commanded the centralists in Monterey, marched out with his whole force, and took a position within eight hundred yards of his adversary. Such was the nature of the ground between the two armies, that neither party had a clear view of the other. The action, however, commenced on both sides, by a spirited fire of artillery, "which," says Captain Pratt, "was kept up during the day, with true Mexican valor, without doing any damage to either party." During the night, General Arista fell back a mile nearer the city, and entrenched and fortified his position. Expecting to be pursued the next morning (the 24th), he formed an ambuscade of four hundred men in a narrow defile in the direction of the federal army, but it was discovered by the Indian scouts.

Canales, by an admirable military movement, threw forward three hundred cavalry, as if to bring on an engagement, while with the main body he marched by a secret route, unseen by the enemy, to the rear of the latter, and presented himself before the city. Had he marched in, he could have taken the place without any difficulty, for it was defended by only two hundred and fifty troops just arrived; but, to the astonishment of his army, he marched it into the yard of a convent, and commenced to fortify. Arista reached the city at five o'clock the same evening. A mutual cannonading then ensued, which continued for two days, without resulting in any damage. On the afternoon of the 27th, the enemy's cavalry, amounting to three hundred men, advanced to the lines of the federal army, and challenged the cavalry of the latter — a like number — to a combat. The challenge was accepted, and the federal horse sallied out, commanded by Colonels Zapata and Gonzales; but, when within fifty yards of the enemy, the latter officer fled, and left Zapata to sustain the entire burden of the command. After a sharp skirmish, Zapata retreated, leaving six of his men dead on the field of conflict.

The federal army at this time numbered twelve hundred and fifty men, of whom one hundred and forty were Texans, some recruits having supplied the place of those that had retired at Matamoras. While these Texans adhered to Canales, Arista did not choose to come to a decisive engagement. But he now adopted a plan more congenial to the feelings of the Mexican portion of the allies. Treachery and bribery did the work. This commenced on the night of the 27th, and by the following night the numbers of the federal army were reduced to five hundred and fifty men! They, of course, retreated; and, at nine o'clock on the morning of the 29th, being pursued by the enemy's cavalry, they halted to give them battle. But the latter did not attack them. Arista, however, received a hundred and sixty more deserters from the federal ranks, leaving only about two hundred and fifty, exclusive of the Texans. These were almost entirely composed of the prisoners, who had surrendered under Parbon, and joined their conquerors. They probably had good reasons for not going back to the centralist ranks, as they would doubtless have suffered as deserters. The retreating forces were continually pursued and harassed, but never could bring their pursuers to battle. At length, on the 31st of December, the retiring federalists reached the narrow pass of Sabinas, where their enemies left them. On the 7th of January, 1840, they recrossed the Rio Grande. Here, for the present, we will leave them, intending to return to their operations. True, these occurrences did not happen in Texas, but Texans were engaged in them; and as they were the life of the party with which they took sides, and afraid of nothing but treachery, they did their country a vast service in amusing her enemy at the expense of that enemy, while she was gathering her resources, increasing her numbers, and growing in importance and respectability among the independent nations of the world.

The fourth Congress assembled at Austin on the 11th of November, 1839. President Lamar's message, delivered on the following day, is lengthy. He speaks fully on the subject of the Indians, and represents that the war prosecuted against them had proved a national blessing. "The cries of captivity and murder," he says, "have, of late, been seldom heard upon our borders. With the exception of a few recent massacres, resulting entirely from the temerity of our own people, the frontier has, for some time, enjoyed an almost equal security with the interior sections of the country; and is at the present moment in a state of tranquillity heretofore unknown, and which we hope, by proper vigilance and activity, to render as permanent as beneficial." The president declares it as his opinion, that the "proper policy to be pursued toward the barbarous race is absolute expulsion from the country." He deprecated the humane policy which the United States had pursued so long toward the Indians within her territory, as never having been productive of the good that was anticipated, but on the contrary it had generally resulted in injury to the whites, without any adequate benefit to the savages. His conclusion was, "to push a vigorous war against them; pursuing them to their hiding-places, without mitigation or compassion, until they shall be made to feel that flight from our borders, without the hope of return, is preferable to the scourges of war." The sound Christian morality of this stern policy toward the Indians is extremely problematical. A large majority of them were strictly natives, as were their ancestors for untold generations. The great body of them lived on the head-waters of the Texan rivers, and many of them had as yet never seen the face of the white man.* But, admitting the humanity of this procedure, whither could the aborigines fly? To drive them into the territories of the United States, would be a violation of treaty obligations; and, to force them into Mexico, would have supplied her with many thousand exasperated warriors, infinitely more brave and daring than her own people; and, to massacre them, even if practicable, would have savored of unmixed barbarity.

In regard to the finances, reference is made by the president to the report of the secretary of the treasury. It is an able document, but represents with too much truth the growing indebtedness of the republic. The revenue collected and paid into the treasury for the year ending September 30, 1839, did not amount to one hundred and eighty-eight thousand dollars, while the current expenses for the same period were over nine hundred thousand dollars. The promissory-notes of the government in circulation had increased to the enormous sum of more than one million eight hundred thousand dollars.† This excessive issue of the paper of the government was followed by the necessary consequence, its depreciation; and it was manifest to all that, without some change, it would soon become so entirely worthless, that the government would have to refuse taking it for public dues, for governments as well as individuals must have something substantial for their support. To remedy this evil, the executive was doing what he could to procure the five-million loan. General Hamilton had been sent to Europe to effect the object. In the meantime, the Texan commissioners had obtained of the United States bank two hundred and eighty thousand dollars, predicated upon the eventual success of the loan. Of this amount, a little upward of sixty-two thousand dollars went into the treasury, which was about all the *money* it had received for some time. The balance was employed in the purchase of arms and supplies for the public defence.

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* We are told by Froissart that, on one occasion, the duke de Bourbon went to make war on a town in Africa. Approaching the place, he sent a herald, as was the custom in those days, to announce his intention. The people of the town sent another herald, to know why he thus invaded and wished to make war upon them. After consulting some time as to an answer—for these people had never heard of him before—he sent back, for reply, that "they had killed the Lord Jesus Christ!"

† Report of James H. Starr, Secretary of the Treasury, November 3, 1839. In a speech of Senator Rusk, delivered in the United States senate on the 19th of July, 1854, there is exhibited a statement, from under the hand of James B. Shaw, controller of Texas, dated March 20th of that year, showing the expenses incurred by the republic of Texas in maintaining peace with, and protecting her frontier

Notwithstanding the efforts made during the summer of 1839 to reduce the Indians, and drive them away, they still continued to commit their depredations upon the frontiers. On the 24th of October, Captain Howard had a skirmish with a number of them between the San Gabriel and Little rivers, in which he succeeded in killing three or four;* and, on the

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from the incursions of, Indians removed thither and belonging to the United States. As this probably includes the greater part of the appropriations made by Texas on account of the Indians, we compile from it the following table of Indian appropriations for each year:—

1837	Houston's first term	$20,000
1838		170,000
1839	Lamar's term	1,430,000
1840		1,027,319
1841		95,000
1842	Houston's second term	20,000
1843		66,950
1844		17,142
1845	Jones's term	45,000

* Captain Howard's report, October 29, 1839.

25th of December, General Burleson encountered a party of Cherokees on the western bank of the Colorado. They sent out one of their number to have a talk with him; but, believing their only object to be to gain time, he took their messenger into custody. On seeing this, they commenced firing on him, when he attacked them and put them to flight, taking (in addition to the messenger) five women and nineteen children prisoners. Six warriors were found dead on the field. The Texans unfortunately lost the gallant Captain Lynch, who fell at the first fire. Among the captives was the helpless family of the chief Bowles.* These conflicts were some of the fruits of the Indian policy of those days. The one hundred and forty savages seen by Captain Howard, in the affair of the 24th of October, were all well mounted, he tells us, on good *American* horses—the proceeds of their robberies along the frontiers.

Another subject, of a very different character, but equally unpleasant, must close our sketch of the year 1839. The land-certificates issued by the boards of county commissioners being found valuable as an article of traffic and location, the commissioners in some of the counties had undertaken their manufacture. This dishonest and unlawful proceeding was carried to a fearful extent; and so great was the circulation of these spurious certificates, that it was impossible to distinguish the fraudulent from the genuine. The president called the attention of Congress to the subject; and that body passed a law, appointing a special board of commissioners to proceed from county to county, and, at each place of issue, in conjunction with the respective county boards, to take testimony, and decide as to the genuineness of every certificate which, from the register kept in each county, appeared to have been issued since the opening of the land-office. The commissioner of the general land-office was, by the law, prohibited from recognising any survey made upon a certificate not reported by the commissioners as genuine.* This enactment, and the action of the commissioners under it, did much good in checking the system of land-frauds, and saved the republic from enormous losses.

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* General Burleson's report, December 26, 1839.

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* Act, January 8, 1840, vol. iv., p. 139.

CHAPTER X.

NEARLY four years had now passed since the battle of San Jacinto, and Texas was still free. No considerable number of the enemy had subsequently invaded her soil. Indeed, with the exception of the war she was conducting against the frontier Indians, Texas was at peace. Immigration had greatly increased her numbers and industry, her wealth, and means of living comfortably. But the miserable state of her currency, and the heavy budget of her expenses, bore hard upon all. These expenditures were induced, in part, by the many campaigns against the Indians, the fitting out and maintaining the navy, and by an attempt to frame and support the skeleton of a government which neither her population nor resources would justify. With nations, as with individuals, it is impossible long to present a show of power and magnificence without adequate means. Such an exhibition is followed by bankruptcy. The true greatness and power of Texas consisted in her rich and abundant lands, and the noble institutions which her people had founded in spite of her enemies. These, and not a long list of officials with sounding titles, constituted the skeleton which was to be filled up, with people, wealth, and commerce.

The credit of Texas was rapidly waning. Her five-million bonds had travelled over America and Europe in search of a purchaser, but none could be found. Not that lenders were not able, but because Texas had not the credit. To cripple the latter still further, a great increase of the paper issues followed the necessities of the government, and, as the circulation increased, their market value went down. By the month of June, 1840, this paper had fallen to seventeen cents on the dollar, and by the close of the year it was worth but fourteen cents! These promissory-notes had driven all *money* out of the country, and had broken to pieces the standard of value. They operated as a forced loan, and impoverished both government and people. The warrants drawn upon the treasury for the fiscal year ending with September, 1840, were over two millions of dollars, which had been paid in these notes, and in eight per cent. bonds created by the act of February 5, 1840. But these bonds were little better than the notes. Many ingenious efforts were made to avoid the crisis which every one saw was approaching. These eight per cent. bonds, it was thought, would answer a good purpose. On the same day, another act was passed, authorizing the issuance of change-notes to the amount of a hundred and fifty thousand dollars. But, as the large notes had expelled the large coin, so likewise the small notes expelled the small coin. Then other acts were passed to convert these floating promises of the republic into eight and ten per cent. bonds; but this only increased the debt to the extent of the interest. In fact, every method was employed to preserve the public credit but the right one—a reduction of the public expenditures. These financial blunders necessarily embarrassed commerce and the business relations of the community. The officers of the government and the troops were equally sufferers, for their pay would not support them. Yet these sufferings were a wholesome lesson. The public intentions were good; and it was believed that the

Congress which was to meet in the fall of 1840 would discover the evil and apply the remedy.

On the 20th of January, 1840, Congress adopted the common law, so far as it was not modified by statutes. So far as crimes and their punishment were concerned, it had been the rule of proceeding since the Revolution. It was now introduced as a system, and was most agreeable to the ideas of liberty entertained by the citizens, who were mostly from common-law states. Some exceptions were created by the statutes, and civil-law rules retained in regard to marital partnerships, successions, &c., which they did not understand, and do not yet understand; still, as a system, the people felt that their rights were more secure under the common law. In a general view of the two systems, the one treated the governed as children, the other as freemen: the one was most suitable to a strong government, the other to one that was free.

The intestine commotions in Mexico did not abate during the year 1840. The quarrels of the opposing factions at home served to divert their attention from Texas. The centralists, under the guidance of Bustamente and Santa Anna, and the federalists, directed by Urrea and Gomez Farias, had many battles and treaties. Their example was followed by their respective adherents in the different states. Between the 15th and 26th of July, there was considerable fighting in the capital; many hundreds were killed, and much property destroyed. The great body of the people of Mexico, ignorant of the principles at stake, and of the designs of their leaders, were drawn into these conflicts, and either killed in battle or reduced to penury. It was well for Texas that her enemy was thus occupied. As to so much of this civil war as occurred along the right bank of the Rio Grande, her citizens could scarcely be indifferent spectators. They naturally took sides with the federalists. The disbanding of the large number of troops which Texas had employed against the Indians in 1839 had deprived many of them of any permanent means of subsistence. Their military pay amounted to nothing; and the stagnation in business, consequent upon the worthless condition of the currency, prepared many of them for the first enterprise that should occur, with the promise of food and raiment. President Lamar, believing it incompatible with the true interest and honor of Texas that her citizens should intermeddle with that contest, issued his proclamation, warning them not to invade Mexico, and also from all marauding and other acts of hostility against her territory, until by public notice it should be announced that active hostilities were to be renewed between the two nations; declaring that any citizen who should invade the Mexican republic, or by any hostile act molest its inhabitants within their own territory, should be considered without the protection of the Texan government, which disclaimed all participation in their conduct, and could afford no countenance to their unauthorized acts.*

With these facts before us, we will return to the movements of Canales on the Rio Grande. On the 8th of January, 1840—the day after the heroes of Alcantro had crossed to the east side of that river—forty-five of the Texans took their leave, and returned to their homes. With his remaining force, General Canales proceeded about six miles up the stream, where he issued a proclamation, calling a convention of delegates to organize the "*Republic of the Rio Grande.*" The delegates met on the 18th of January, and organized their new government, after the model of the constitution of 1824. Jesus Cardenas was made president, and the Licentiate Antonio Canales commander-in-chief. After regaling the troops with extra rations and *muscal*, the government and army recrossed the Rio Grande, and proceeded to Guerrero, where, on the 28th, the new republic was joyfully inaugurated amid great pomp and ceremony. Here they remained until the 18th of February, when they marched to the old *presidio* of the Rio Grande, one hundred and sixty miles above Guerrero, and entered it without opposition on the 3d of March, the centralist forces having evacuated the place. There were seventy-four Texans in the federal army; and they proposed that Canales should march to the Nueces, in order to recruit and obtain reinforcements. As he did not agree to this, sixty of them, under the command of Colonel Jordan, left him and returned to Texas. After the departure of Jordan, Canales proceeded with his remaining troops to Morales, a small place, three days' march from the *presidio*, where, on the 15th of March, he was met by an overwhelming force of the centralists under Arista, and had his adherents so cut up and defeated, that he was barely able to escape into Texas.*

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* By all the principles of sound policy, President Lamar was right in this proclamation. Texas could have but one object in view—her independence. It was her interest to cultivate the arts of peace, and strengthen and consolidate her institutions; and experience had proven, and has since proven, that in all these contests, whether in Mexico or in Cuba, when the time of trial came, the Anglo-Saxon forces were deserted, and left to *tread the winepress alone.*

After the battle of Morales, Canales visited Austin, and Cardenas proceeded to Victoria on the Guadalupe, for the purpose of obtaining a reinforcement of Texans, for without them they could not win a battle. Arista, to prevent as far as possible another campaign, issued a proclamation, promising pardon to all who should, within a month, come in and submit to the centralist government.† To what extent these submissions were made we are not informed, but it is very certain that they did not prevent the parties making them from joining Canales on the first favorable opportunity. The latter having, by proclamation, fixed his headquarters at San Patricio, the Texans, notwithstanding the warning of President Lamar, rallied to his standard; and, by the first of June, he found himself at the head of two hundred volunteers under the command of Colonel William S. Fisher, one hundred and ten under Colonel Jordan, one hundred under Colonel Seguin, and three hundred Mexican *rancheros* under his own immediate command, making an aggregate of seven hundred and ten men. With this force he set out on his march. Colonel Jordan, with his command of Texans, and one hundred and fifty mounted *rancheros* under Colonels Lopéz and Molano, were ordered to proceed in front, as the advance of the federal army. For the present, we will follow this advance.

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* Notes of the Federal Campaign of 1839-'40, by Captain Thomas Pratt.

† Dated at Saltillo, April 30, 1840.

After a slight skirmish with the centralists at Laredo, they proceeded, through Guerrero and Mier, to Comargo. Here, Lopéz and Molano, pretending that such were their orders from General Canales, pushed rapidly into the interior, for the purpose, as was said, of raising troops, contributions, arms, and ammunition. Their real object, however, was to betray the Texans under Jordan, and break up the federal army. Leaving Comargo on the 26th of June, they occupied the town of Tula; thence pursuing a southern route, and passing many villages, they reached Morallo, a handsome town of about twelve thousand inhabitants, situated in a beautiful valley of the Sierra Madre. After spending some days here to recruit, they proceeded to Linares, a large town, where they were received with the ringing of bells and the firing of artillery. The Texans did not think their force justified the joy that was manifested: however, they did not make themselves unhappy, for they had come to fight, and were used to it; and, if they really were "sold," they had intended to make the "delivery" somewhat expensive. Having feasted a week at Linares, they marched to Victoria, the capital of Tamaulipas, which place they entered on the 17th of August. The centralist forces, four hundred in number, under the command of the governor, at their approach had retreated from the city, and fled to the mountains. The federal army was received in the state capital with the usual pomp and display, and the new republic recognised by the ringing of bells and the huzzas of the Mexican rabble, who, in the presence of a military force, would have rendered like homage to any system whatever.

Some time was spent in Victoria in organizing the new state government, and in recruiting the federal forces. Lopéz and Molano seemed to be in no haste to quit the city, until, as was reported, Arista was on his march with a strong force to attack them. They then ordered a retreat to the mountains. The Texans opposed this retrograde movement, and so far succeeded as to stop the army in a position three miles from Victoria. Remaining a week in this position, and hearing nothing of the enemy, the two Mexican colonels were suddenly seized with the idea of pursuing the former governor of Tamaulipas. So, breaking up their camp, they set out on the 12th of September, by a forced march, for Jaumare, a small mining-town in the Sierra Madre, where it was said they would find the old governor. They reached the place on the 16th, and, on entering it, discovered the enemy on the opposite side, in full retreat. The town, beautifully situated in a valley, and surrounded by lofty mountains, was almost depopulated. The people had fled with the old centralist governor, leaving all their property, and a few *peons* and decrepit citizens to take care of themselves. The federalists, on reaching the plaza, found that the town authorities had also fled. As they could do no better, they took one of the peons, and invested him with the dignity and power of an *alcalde*. At first, the thing sat awkwardly upon him, and he entered timidly upon the discharge of his high functions. As his principal duties, however, consisted in responding to the requisitions of the federal army, he soon learned how to discharge them: nay, more, he fell into the usages of his distinguished predecessors; and when a requisition was made for a beef, or a mutton, or a fowl, he took care to order a like supply for himself, being fully persuaded that the entire blame could be laid upon "*los diablos Tejanos!*" Thus the federal army, with the new *alcalde* and his brother-peons, lived sumptuously in the town of Jaumare.*

After remaining here several days, a council of war was held, when it was determined to march upon Saltillo, raise contributions to pay off the troops, and then retire to the Rio Grande, and form a junction with the main body of the federal army under Canales. After several days' march through the mountains, and by a route unknown to the Texans, they were informed by Captain Peña, of the mounted *rancheros*, that Lopéz and Molano were conducting them to San Luis Potosi! A halt was immediately demanded, and, notwithstanding the remonstrances of the two Mexican colonels, the course of the army was changed. Pursuing their way for twelve days, over rugged and almost impassable mountains, they arrived within a day's march of Saltillo, where they halted at the *hacienda*

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* Captain Pratt relates a singular story of these people. Some years before, they were visited by the cholera, and great numbers died. It was believed to be a Divine visitation, and recourse was had to the supplications of the *padre*, but without avail. A public meeting was then held, and it was concluded that their water had been poisoned. Now the town was supplied with water from immense reservoirs, which were under the control of the priest and the *alcalde* So it was decided that they had brought this dreadful calamity upon the Jaumarenos. They were therefore condemned, brought upon the plaza, and publicly shot!

del Potosi; and here Colonel Jordan received an express from a reliable friend at Victoria de Tamaulipas, informing him that he and the Texans under him were betrayed; that Lopéz and Molano were in secret correspondence with the centralists, and for a specified sum of money were to place the Texans in such a position before the enemy, that they could be easily overwhelmed. Jordan was a frank and noble-hearted man, and, having no treachery in his own nature, could not conceive it in others. He immediately laid the letter before Lopéz and Molano, who, having read it, declared in terms so emphatic that the charge was false, and that the writer was a personal enemy who wished to ruin them, that Jordan was persuaded of their sincerity, and was willing to co-operate with them. But the news of this express soon spread among the Texans, who were not all as credulous as their commander, and they watched the subsequent movements of the Mexican colonels with considerable distrust.

The following day (October 22d) was spent by the federalists in cleaning their firearms and moulding an extra quantity of rifle-balls. On the morning of the 23d, they mounted and set out for Saltillo. At ten o'clock they discovered the enemy, entrenched on the brow of a hill, three miles south of the city. The federalists halted on another eminence, about six hundred yards from their opponents, having a ravine between the two armies. They formed in order of battle, when a flag appeared from the enemy, desiring a conference. Colonel Molano was despatched in answer to the flag, and held a consultation of about three hours. During this time, many messages were sent, which were well understood by Lopéz. He told Jordan that Vasquez, the centralist general, offered two hundred thousand dollars to the federal military chest, and five days' rations to each man, on condition that they would retire from before

Saltillo; but that Molano insisted upon two hundred and fifty thousand dollars, and on this point negotiations were then pending with the authorities of the city, which would speedily be consummated. Thus was Jordan cajoled, while Molano was in fact conferring with Vasquez as to the *safest* mode of *delivering* over the federal army into the hands of the centralists; for it was known to be a delicate operation, and, so far as the Texans were concerned, quite dangerous. Vasquez was also waiting for reinforcements. At one o'clock in the afternoon, the enemy's auxiliary troops having arrived, under the command of General Montoya, preparations were immediately made for an attack upon the federal lines.

The force of the centralists consisted of one thousand men, of whom six hundred were infantry, having two nine-pounders, and four hundred were cavalry, together with a large number of citizens from Saltillo, variously armed and equipped. They were so certain of victory, that they had invited the populace of the town to come out and see them triumph. The federal army consisted of one hundred and ten Texans, under Jordan, and one hundred and fifty mounted *rancheros* and seventy-five Mexican infantry, under Lopéz, making an aggregate of three hundred and thirty-five men. So soon as the centralists were seen to move, Colonel Lopéz, assuming the command of the federal forces, ordered a march to the right flank toward a gap in the mountains so situated as to give the enemy every advantage over them. The Texans at once discovered the treachery of the villain Lopéz; and Captain Allen rode rapidly to Colonel Jordan, and exclaimed: "Where, in the name of God, sir, are you leading us? If you take us to yonder gorge, the enemy will not leave a man to tell our fate!" Jordan took a hasty glance at the position, and ordered a countermarch, passing rapidly along the ravine, within a hundred and fifty yards of the centralists' entrenchment, to an old *hacienda* situated at point-blank distance from their cannon. The Texans now dismounted, placed their horses in an enclosure in the rear of the *hacienda*, and every man stripped for the fight. Lopéz, in command of the *rancheros*, would not suffer the latter to dismount, but took his position three hundred yards to the left of the Texans, in order, as he said, to prevent them from being surrounded! The Mexican infantry, under the command of a brother of Molano, were ordered to occupy a stone house on the Texan left; but, instead of so doing, they went over to the enemy, and turned their arms against the Texans. The centralists immediately commenced the action with their nine-pounders, which they fired without intermission for an hour. At the first discharge, Colonel Lopéz, waving his sword, cried, "Long live the supreme government!" and fled to the enemy, with two others of his command, taking with them the baggage and ammunition of the federal army.

The Texans were thus left in a situation the most critical—deserted by their friends, far from their country, surrounded by ten times their own number, and left with only the ammunition which they carried about their persons. Yet, under all these gloomy circumstances, "there was only one determined resolve among that brave band gathered around the decayed walls of the *hacienda* on that glorious day—it was, to fight to the death: no thought of retreat or surrender was, for a moment, entertained."* As for the *rancheros*, deserted by Lopéz their commander, the most of them stood firm, and some of them fired at their colonel as he fled. The centralists now moved with their whole force from their entrenchment, and occupied three sides of the Texan position. In this manner they slowly advanced, under cover of their cannon, and firing repeated volleys of musketry. Colonel Jordan had ordered his men to reserve their fire until the enemy approached within "*saving* distance." Accordingly, they lay snugly ensconced behind the old walls and an *adobe* fence, forming a half-moon, and did not fire a shot until about four o'clock in the afternoon. General Montoya, supposing from the extent of *his own fighting*, that most of the Texans had fallen, ordered a general assault upon the *hacienda*. When the assailants had come within thirty yards of the walls, the Texans gave them a shout of defiance, followed by a fearful volley from their deadly rifles. The latter were in earnest; and the enemy also fought well, being cheered from the hill in their rear by the thousands of men, women, and children, who had come out to see *los Tejanos* taken. At that distance, the rifle-bullets went on no foolish errand, but nearly all took effect. Column after column of the centralists advanced, faltered, and fell under the murderous fire. At length, their ranks became disordered; a panic followed, and they fled. Soldiers, citizens, women, and children, all took the road to Saltillo, and in such confusion as though the Texans were in close pursuit at their heels! They left four hundred and eight killed upon the field of battle, and but few wounded. The Texans had only three killed and nine wounded, two of the latter mortally. A party of the enemy attempted to carry off their artillery, but a lucky shot at a long distance brought one of them down, and they also fled, leaving the heroic Texans masters of the field and of the enemy's guns, together with a great quantity of small-arms and ammunition.

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* I have before me the official report of Colonel S. W. Jordan, dated Laredo, November 2, 1840, but prefer to follow Captain Pratt's "Notes," as they were taken on the spot, and are more reliable.

As the Texans were deserted by their allies, they determined to abandon the cause. Having provided for conveying their wounded, they mounted their horses, and set out for Texas.

They met the enemy's cavalry, who had been stationed on their route to cut off their retreat. As the Texans emerged into a plain, the hostile squadron, four hundred in number, charged upon them in gallant style. Two volleys from the rifles, however, brought them to a pause, and then a precipitate retreat. The Texans soon fell into the Monclova road, and continued their way to the Rio Grande, being followed by squadrons of the centralist cavalry, which kept at a very respectful distance.

To return to General Canales. That chieftain set out, with a force of about two hundred Mexicans and one hundred Texans, upon an expedition against San Marino, a small town in the eastern portion of Tamaulipas. Meeting with a body of centralists near the place, he retreated, without firing a gun, to Comargo, his headquarters. This retreat, probably brought about by treachery to the federalists, was the death-knell of that party on the Rio Grande. The battle of Saltillo occurred on the 23d of October. There was shortly afterward published the treaty between Colonel Juan Molano and General Arista, dated Victoria de Tamaulipas, October 14th, by an article of which it was provided that "all Mexicans, under the command of Don Juan Molano, will separate from, and abandon to their fate, the adventurous strangers [Texans] at present among them." That Molano should have entered into such a scheme of treachery, was very natural; but that Arista, the elegant and accomplished gentleman of Mexico, should have become a party to it, proves but too truly that the thing is common in that country. The fearful retribution which fell upon the traitors at Saltillo also proves that God never ratifies such compacts. About the same time, Canales entered into a similar treaty with Arista, but it stipulated for the safety of his auxiliaries. We have now closed the account of the federal war, which we introduced because of the part taken therein by the Texans, and the effect it had in diverting the Mexicans from stealing and murder on the western frontier.

The Indians continued hostile and troublesome. The Camanches had made frequent forays into the Texan settlements, and, among other outrages, had carried off several captives. In February, 1840, a few of these Indians came to San Antonio, for the purpose of making a treaty of peace with Texas. They were told by the commissioners to bring in the thirteen white captives they had, and peace would be granted. They promised that, at the next full moon, they would do so. The commissioners repaired to Bexar to meet them; and on the 19th of March, a little after the appointed time, the Indians, sixty-five in all, including men, women, and children, came in, bringing, however, but one of the captives. Twelve chiefs met the commissioners in the treaty-house, and the question was put to them, "Where are the prisoners you promised to bring in to this talk?" They answered: "We brought the only one we had; the others are with other tribes." The little girl who had been brought in said this was utterly false, as she had seen the others at the Indian camp a few days before, and that they intended to bring in only one or two at a time, in order to extort for them the greater ransom. A pause ensued for some time in the council, when the same chief who had given the answer inquired how they liked it. No reply was made, but an order was despatched to Captain Howard to bring his company into the council-room. When the men had taken their position, the terms upon which peace would have been made, had they brought in the captives as they promised, were explained to the chiefs. They were also informed that they were prisoners, and would be detained until they sent the rest of their company for the captives, and brought them in.

As the commissioners were retiring from the room, one of the chiefs sprang to the door; and the sentinel there stationed, in attempting to prevent his escape, was stabbed by him with a knife. Captain Howard received a like wound. The remaining chiefs now rose, drew their knives, and prepared their bows and arrows, and the fight became general. The soldiers killed the whole of the chiefs engaged in the council. The warriors, not of the council, fought desperately in the yard; but the company under Captain Redd advancing, forced them to take shelter in a stone house, whither they were pursued and cut down. A party of the savages at last made their way to the opposite side of the river, but were pursued, and all killed, except a renegade Mexican, who was permitted to escape. All the warriors, thirty-two in number, together with three women and two children, were killed. Twenty-seven women and children were made prisoners. In this remarkable fight, none escaped except the Mexican. The Texans had seven killed and eight wounded. They despatched one of the squaws to inform the Camanches that they were willing to exchange prisoners.* After the lapse of some days, the squaw returned, bringing two white captives and four or five Mexicans, and proposed to exchange them for her own people, and pay the difference in *horses*. Colonel Fisher, the officer in command, informed her that all the white captives must be brought in, and then her kindred should be released.†

The Camanches hung about San Antonio in small parties, brooding over their loss. The killing of so many of their chiefs was a severe stroke, and they were divided on the question of war. At length they retired to their homes, on the upper branches of the Texan rivers, to make serious preparations for a terrible visitation on the white settlements.

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* Report of Colonel H. M'Leod to President Lamar, March 20, 1840.

† "Telegraph," April 15, 1840.

On the night of the 4th of August, a large body of Indians passed down south, their trail crossing the road at M‘Clure's hill. It was immediately afterward discovered, and the news sent to Gonzales by the 6th.* Couriers were despatched with all haste to the settlements on the Lavaca and the Guadalupe, to give notice of the approach of the Camanches. A company of twenty-four men was likewise immediately raised by Captain Ben M‘Culloch,† which on the same evening set out in pursuit. The Indians had passed down rapidly, and appeared before Victoria on Thursday evening, the 6th of August. The citizens had no knowledge of their being in the neighborhood till they had surrounded the town. Under these circumstances, they hastily gathered such arms as they could find, and defended the place so well as to prevent the enemy from penetrating into the more settled portions of the town. After some fighting, the Indians retreated, having collected all the horses on the prairie, and a large portion of the cattle, which they drove off. On the morning of the 7th, they made another attack on the town, and burnt one house. As they met with more resistance in this last attack, they marched across the Guadalupe, and, after committing several murders and robberies on the way, attacked Linnville, a small place of only five houses, on the morning of the 8th.* The people of Linnville supposed them to be a caravan of Mexican traders, until they had come up to the town, which they did at full speed, in the shape of a half-moon. The citizens fled to the bay, and most of them found safety on board a lighter. The Camanches remained in the town until dark, burning the houses one by one, and destroying such property as they did not wish to carry away; also all the cattle they could find. The number of the savages making this foray was estimated at four hundred.† They killed at and near Victoria fifteen persons, and six more in and about Linneville. They carried off Mrs. Watts as a prisoner, and drove off an immense number of horses. In their retreat they were further burdened with a heavy amount of goods.

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* Letter of W. D. Miller, August 17, 1840.

† Ben M‘Culloch is a native of Tennessee. He arrived in Texas in January, 1836, and joined the army at Groce's, just as it set out on that memorable march which won the liberties of the republic. Having an offer of the command of one of the "*Twin-Sisters*," he joined the artillery, and served in that capacity at the battle of San Jacinto. For his gallant conduct he was made lieutenant a few days after the action, and was discharged in July following. In Colonel M‘Culloch's statement of the battle of the 21st, he says: "We commenced firing [the artillery] at two hundred and ten paces from the enemy's breastwork, and kept in advance of our line until we were less than one hundred paces from the enemy, when they gave way and were pursued by us two hundred and fifty paces beyond the breastwork; but we were prevented from firing by our own men, who had outstripped us in the race. During the action, General Houston rode from Millard's command across in front of No. 1 [the piece commanded by M‘Culloch], which delayed the firing of the gun for a moment. I afterward observed him between Burleson's regiment and the enemy, not more than sixty paces from and advancing upon the enemy, being about thirty paces in advance of our line." In 1839–'40, Captain M‘Culloch was a member of the Texan Congress; and, in 1845–'46, of the first state legislature. Besides the Camanche war of 1840, he was engaged in innumerable battles and skirmishes with Indians and Mexicans. After the commencement of the Mexican war, he went into it as a captain of rangers. His fame won in that war is world-wide. General Taylor preferred him to all others as a spy, and in that capacity he rendered signal service to the American cause, without the loss of his men. He is now (1855) the efficient marshal of Texas.

The company that left Gonzales on the 6th of August, under M'Culloch, was reinforced on the following day by thirty-six men from the upper Lavaca, and sixty-five more from Victoria and Quero. The rangers arrived at Victoria at sunset on the 8th. Learning here the destruction of Linnville, they continued their march until midnight, and encamped on the Casa Blanca. Proceeding down that stream, they discovered the enemy just before noon on the 9th, and had a skirmish with them, in which the whites had one killed, and the Indians four or five. The latter retreated northward, pursuing the trail by which they had come down. The Camanches were all well mounted on fresh horses, while those of the Texans were worn down and exhausted by constant riding and excessive fatigue. As the Indians declined a fight, it was impossible to force it on them. However, the rangers continued the pursuit, being further reinforced by Captain Owen's company from Texana. On the morning of the 10th, they again came up with the Camanches, and found them drawn up in order of battle on the top of a ridge. The Texans advanced, but the Indians fled, and, the better to avoid a conflict, they commenced scattering on the way the plunder they had gathered; and, as the large number of their horses impeded their retreat, they killed many of them. As it was evident that the Indians would not fight until forced into it, Captain M'Culloch was despatched to the settlements on the Colorado, in order to raise a force to intercept the savages in the neighborhood of Plum creek. This stream, a tributary of the St. Mark, was somewhat beyond the settlement, and it was believed that the Indians would there make a halt. The duty of raising the intercepting force was performed with wonderful celerity. Those who had been in pursuit of the Camanches, having followed them to M'Clure's hill, turned in to Gonzales to refresh their exhausted horses.

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* "Texas Sentinel," September 19, 1840.

† William H. Watts to the Editor of the "Gazette," August, 1840.

The news of the inroad of the Camanches had spread rapidly through the settlements, and the volunteers were soon on their way, by forced marches, to the point of interception. Captain Caldwell with thirty-seven men, Captain Ward with twenty-two men, and Captain Bird with thirty-five more, reached there on the 11th of August. General Felix Huston arrived on the same evening, and took the command. On the morning of the 12th, the spies reported that the Camanches were approaching. About the same time, Colonel Burleson came up with a hundred men under Captains Jones, Wallace, and Hardiman.* General Huston immediately formed for battle. The Indians, seeing the Texans in their front, likewise prepared for action. Their right occupied a piece of woods, while their line extended on the left a quarter of a mile into the prairie. General Huston dismounted his men, and a random fire was commenced. The Indian chiefs, arrayed in all the splendor of savage warriors, and finely mounted, bounded over the space between the hostile lines, exhibiting feats of horsemanship and daring which none but a Camanche, who is said to live on horseback, could perform. But, notwithstanding the rapidity with which they rode, several of them were seen to fall. As the fighting progressed, the Texans advanced; and the enemy being disposed to keep at a distance, General Huston ordered Burleson, with the right wing, to move around the point of the woods occupied by a large body of the Camanches: at the same time, he directed Caldwell, with the left wing, to charge into the woods. These movements were executed in gallant style. The Indians fled at all points, and scattered in every direction, abandoning all their plunder and stolen horses. A most animated pursuit was kept up for fifteen miles. About an hour after the action commenced, the recruited forces from Gonzales came up. The rout of the enemy was thus complete. Their killed, numbering from fifty to eighty, were scattered from Plum creek to the St. Mark, and as high up as the San Antonio road. Several hundred horses and mules, with packs and baggage, fell into the hands of the victors. The captive Mrs. Watts was retaken and returned to her friends. Her husband, the collector at Linnville, had been killed there, on the 8th, by the savages. Thus did the Camanches fail in their revenge for their slain chiefs at San Antonio. It is probable that they were directed in this incursion by the Mexicans at Matamoras. It was well known there that large quantities of goods had been brought to the two points attacked, for the purpose of trade with the federalists on the Rio Grande. The centralists thought it a good move thus to break up these dépôts.

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* Felix Huston's official report, August 12, 1840.

The Texan government was determined still to pursue these Camanches, and give them yet another proof of its ability to chastise them. Accordingly, in September, Colonel John H. Moore had orders to raise a volunteer force in Fayette county, and march up the Colorado in pursuit of those that escaped at Plum creek. On the 5th of October, he set out with ninety Texans and twelve Lipan Indians.* After passing the headwaters of the San Gabriel, he proceeded to the San Saba, and up that stream. Continuing his march for two days up the latter river without finding the enemy, he diverged to the Concho, and thence to the Red fork of the Colorado, passing over a country of surpassing richness and beauty. On reaching the Red fork, Colonel Moore came upon the trail, leading up the river; this he followed until the signs indicated that the Indians were at no great distance. He halted, and sent out two of his Lipan spies. They returned in the evening of the 23d of October, and reported that they had discovered the Camanche village. The troops were ordered to get their suppers, and be ready to march.† At half-past five o'clock in the afternoon, they set out, and proceeded ten miles due north, when they reached the river. Continuing about four miles farther up the stream, the beef-cattle were herded in a mosquite-thicket, and four miles still onward the troops were ordered to dismount. This was at midnight. Spies were again sent forward, to discover the force and position of the enemy. The scouts returned at three o'clock, and reported the village as situated on the south bank of the river, and, from its appearance, they judged it to contain sixty families and one hundred and twenty-five warriors.

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* "Texas Sentinel," November 14, 1840.

† John H. Moore's official report, November 7, 1840.

At daybreak on the 24th, the Texans, leaving their pack-mules, proceeded to the village. It seems they were not discovered till they ascended the hill two hundred yards from the village. A charge was instantly made, and the Camanches fled to the river, which bent round the village like a half-moon. A murderous fire was opened and continued upon the flying enemy. Passing through the village, the Texans dismounted and continued the fire. Some of the Indians were killed before reaching the river; others were shot or drowned in the stream. A portion succeeded in crossing and reaching the prairie on the opposite bank; but Lieutenant Owen, who had been ordered, with fifteen men, to cross over and cut off their retreat, succeeded admirably in this business. As this was a war of extermination, the bodies of men, women, and children, were seen on every hand, dead, wounded, and dying. The fight around the village lasted about half an hour, and the pursuit extended some four miles.

The work was done: the butcheries of Victoria and Linnville were avenged. There were forty-eight of the Camanches killed in the village, and eighty more either shot or drowned at the river; and thirty-four prisoners remained in the hands of the victors. The latter had only two men wounded. The village was then utterly destroyed by fire; and Colonel Moore collected a *caballada* of five hundred horses, taken from the enemy, and returned to the capital of Texas, where he arrived with all his forces (except one man who had died on the way out) on the 7th of November. This, the severest chastisement which the Camanches had received, was inflicted on them in their distant home, at least three hundred miles from Austin.

The fifth Congress assembled at Austin on the 2d of November. The message of President Lamar was not lengthy. He spoke favorably of the progress made by the republic in her domestic and foreign affairs. General James Hamilton, one of the loan-commissioners, had been empowered, previous to his departure for Europe, to establish diplomatic relations with the nations of that continent; and the importance of such relations with Spain was referred to, on account of the extent of the trade with Cuba. Mr. Treat, the private agent of Texas in Mexico, had been so far listened to, that he was permitted to submit his propositions; but the president entertained slight hopes of success. On the subject of the finances, he observed that, "so long as we have to depend, for our daily moneyed operations, upon the promises of the government to pay at a future day, *no matter in what form they may be issued*, those issues must and will depreciate."—"This depreciation of paper," he continues, "not founded upon a specie basis, or its equivalent, is inevitable, and to the extent of the depreciation is the loss of the government that is compelled to resort to such issues. It is, therefore, of the utmost importance to our financial prosperity that we should effect a loan, as it probably is, at present, the only means which can be resorted to, for keeping our currency at par." Such reflections are wholesome, and doubtless grew out of the painful experience of the president in the management of the Texan currency. Yet it was most fortunate for Texas that she did not secure the loan. At that time, and under the then-existing circumstances, it would have been expended in a year or two, leaving the republic still more deeply involved. The want of credit prevents nations as well as individuals from going into debt. Texas, being out of credit, soon learned the important but necessary lesson of living within her means. That lesson has done her more good than three such loans.

The long-disputed boundary-line between Texas and the United States was not yet run. St. Denis and Governor Sandoval had quarrelled about it; so had France and Spain; then Spain and the United States; then the latter and Mexico. Finally, when Texas was recognised, she made a treaty with the United States for running the boundary-line; but when the commissioners, Messrs. Hunt and Overton, met at the mouth of the Sabine, instead of running the line according to the treaty which their respective governments thought was plain enough, they disagreed, and opened the old sore, by a diplomatic discussion, which continued until the Texan appropriation was exhausted.*

The Congress of 1839–'40 had provided that the navy should be laid up in ordinary, unless the safety of the coast should require it to remain in active service. A report having been circulated that Mexico was equipping a squadron with which to attack Texas and her commerce, the navy was continued in active service. There was another consideration in favor of this course. The states of Yucatan and Tobasco had declared their independence of Mexico; and it was deemed advisable to make a demonstration of the naval power of Texas on the coast of these new governments, and to ascertain whether their secession from the Mexican confederacy would cause them to cease hostilities against Texas.

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* This correspondence extends from the 22d of February, 1840, to the 16th of March following. It was carried on near the mouth of the Sabine, on its western bank. It is a recapitulation of the old discussion between John Quincy Adams and Don Luis de Onis in 1818. The immediate question between the commissioners was, whether Sabine lake was the "Sabine river' named in the treaty. If so, the line should run on its western bank; if not General Hunt contended that it should run along the middle of the lake.

Perhaps one of the best evidences of the progress of a nation is to be found in its newspaper department. In 1836, Texas had but one weekly newspaper; in 1840, she had over a dozen, one or two of which were semi-weekly.* These papers were brought out in a creditable style, and their columns well edited. If they supported their respective views with zeal, they did so with dignity, and seldom ran into those excesses so discreditable to the partisan organs of the parent-country. True, there were exceptions, but they were mostly attributable to new editors, who, in coming to Texas, had brought with them more of the spirit of personal controversy than was common in the new country.

The fifth Congress met with a determination to do something for the credit of the republic. The great difficulty was, to determine what should be done. While complaints were made of heavy direct taxes, and of a burdensome tariff on articles of prime necessity, it was still indispensable to have a revenue to carry on the government. The most sensible conclusion was, therefore, to reduce the appropriations. Congress digested and passed an act† greatly reducing the number of officers of the government; placed all the public vessels in ordinary, except a schooner; declined making an appropriation for the regular army; and enacted some other provisions in regard to the revenue, by means of all which the appropriations were reduced nearly sixty-six per centum, and the means to meet them increased. This effort on the part of Texas to meet her expenses helped her credit. The two houses did nothing with the currency—perhaps they could not. It was diseased; and nothing but money would give it relief. It was therefore permitted to languish another year—some hoping for a loan, others that time would effect a cure, and others, again, that it would altogether cease its functions.

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* These papers were—
In Austin, the *Gazette* and the *Sentinel*.
In Houston, the *Telegraph*, the *Times*, and the *Morning Star*.
In Galveston, the *Civilian* and the *Courier*.
In San Augustine, the *Journal*.
In Brasoria, the *Brasoria Courier*.
In San Luis, the *Advocate*.
In Matagorda, the *Colorado Gazette*.
In Richmond, the *Telescope*; and,
In Washington, the *Emigrant*.

† An act to abolish certain offices, &c., January 18, 1841

The year 1840 did not pass away without further evidence of the growing consequence of the republic. England, Holland, and Belgium, acknowledged her independence, and the former country sent J. T. Crawford as *chargé d'affaires* to represent her near the government of Texas. France was already represented by M. De Saligny, with the same diplomatic rank. Texas was indebted to General James Hamilton for the treaties of recognition with England, Holland, and Belgium. The objections on the part of England, on account of the slavery question, had been to some extent removed by the published writings of William Kennedy and Jonathan Ikan, both Englishmen, who had visited Texas, and given an impartial and interesting account of her progress. In connection with this question of slavery, we find, in 1840, the name of *Monroe Edwards*. He had turned up as a man of enterprise in Texas, and entered upon a scheme for the importation of slaves. He met with a man in Mississippi by the name of Dart, with whom he entered into a partnership. Dart was to furnish the funds, and did furnish him thirty thousand dollars, with which he went to Cuba, to purchase negroes.* It appears that a slaver had been captured by a British cruiser, and brought into Havana, where the negroes were apprenticed for a term of years. Edwards purchased a large number of these negroes and introduced them into Texas. It was understood, between him and Dart, that they were to be sent through Texas to Louisiana. But Edwards commenced selling them out in Texas, and appropriated the proceeds to his own use. Dart, on learning these facts, sequestered the remaining negroes; but, on the trial, Edwards gave, in evidence, a full receipt from Dart for the money originally advanced. Upon a close examination of this paper, it was found that Edwards had extracted all the writing on a letter from Dart to him, except the signature, and had written the receipt above it. Edwards was forthwith prosecuted for forgery. He gave bail, and fled to the United States. In 1840, he wrote to President Lamar, and also to General Houston, and perhaps other distinguished persons in Texas, representing the facts in part, but stating that he had been defrauded in the purchase of the negroes, believing them to be slaves; that, by treaty stipulations, both England and Spain were bound for the restoration of the negroes to freedom; that the British government had been fully advised of all the facts, with a descriptive list of the negroes; that he was then on his way to London, with letters from Mr. Adams, General Wilson, Mr. Fox, Dr. Channing, and twenty other gentlemen of high standing here and in Europe, to press the liberation of the negroes; and was advised that the Texan government would be held responsible for them. He further stated that he had high authority for saying that, the moment the question was agitated in London, the successful negotiation of the Texan loan was at an end; and concluded by advising that the negroes be safely kept, to abide the issue to be made by the British government.*

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* Edwards says the negroes were purchased by John Edwin Sumner as agent.

The object of Edwards in writing thus is not so easily ascertained; but he proceeded to London, and, by the plausibility of his story, and his apparent sympathy for these negroes, he attracted so much attention, and acquired such influence with the ministry, that it became necessary for General Hamilton to interpose, and expose him as a criminal who had fled from justice in Texas.* This interposition had the desired effect, and Edwards turned his attention to other enterprises.

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* Edwards's letter, November 1, 1840.

To the friends of Texas it was gratifying to see the growth of her commerce, and the interest felt therein by foreign nations. During the first quarter of 1840, ninety-two vessels arrived at the port of Galveston. There was a corresponding increase of arrivals at Velasco, Matagorda, and other points. Many of these vessels were from Europe, and brought merchandise to exchange for cotton. This increase of trade, though rapid, was natural, and did not exceed the increase of population induced by a constant stream of immigration. The town of Houston, situated at the head of Buffalo bayou, a river navigable at all times, had already become the centre of a considerable trade with the interior. This trade had extended up the Brasos, the Trinity, and even the Colorado; for it was found to be a cheap market for purchases, and transportation thence to the state capital was not higher than from Linnville. At that time, freight between the two places could be had at eighteen or twenty dollars per hundred weight, payable in promissory-notes, the latter being worth from fifteen to eighteen cents on the dollar.* An extensive and quite an increasing trade was carried on through the outlet of Red river; and this traffic was the more profitable, because the importers were not so particular about paying the duties. At first, Texas bought much and sold but little, and the balance of trade was against her; but, in looking at the comparative tables of her commerce for the years from 1838 to 1841, both inclusive, we find that her necessities induced her to purchase less and to sell more. For example, in 1838, she imported thirty-five thousand bushels of corn; in 1841, not two thousand bushels, because she had found it necessary to raise it. In 1838, she imported fifty-six thousand pounds of butter; in 1841, but little over half that quantity. The fluctuations in her currency had its effect during these years, but aside from this the tendency of trade was favorable, and evinced more industry and economy on the part of the population.

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* As proof of the extent of Edwards's operations, we give General Hamilton's letter to him:—

"No. 15 Cockspur Street, London, *November* 23, 1840.

"Sir: I have just been informed by Mr. Stevenson that you have presented to him a letter of introduction, asking his good offices, from the secretary of state of the United States, and that you have a similar letter to General Cass, the American minister at Paris. I beg leave to inform you that I have apprized Mr. Stevenson that you are a fugitive from the public justice of Texas, charged with the commission of an infamous crime. I shall feel it my duty to make a similar communication to General Cass.

"I likewise understand that you propose making an application to Lord Palmerston for the aid of her majesty's government for the purpose of subserving some alleged objects of public justice in Texas. As the representative of the republic of Texas in Great Britain, I shall not fail to advise Lord Palmerston of the facts which I have communicated to the representatives of the United States at Paris and London.

"I hope you will spare me the pain and necessity of a more detailed and public statement of your recent history in Texas.

"I remain your obedient servant,

"J. HAMILTON, *Envoy of the Republic of Texas.*

"Monroe Edwards, Esquire."

Among other improvements, the republic was engaged in the construction of a military road from Red river to the *presidio* crossing of the Nueces; and it was proposed to add to this a like road from the town of Austin to Santa Fé, a distance of six hundred miles. The motives for this are set forth in the report of the secretary of war. Santa Fé, situated about twelve miles east of the upper Rio Grande, or, as it is called up there, the Rio del Norte, was included within the statutory limits of the republic of Texas. The place was settled entirely by Mexicans, and, never having been conquered by Texas, was still under the government of Mexico. The country between the Texan capital and this point was wholly unoccupied, except by hordes of savages that roamed over it. For many years the adventurous traders of the United States had carried on a successful inland commerce with Santa Fé, of the annual value of four or five millions of dollars.* Santa Fé was not altogether the consumer, but rather the dépôt for these importations, which were distributed thence to Chihuahua and other portions of northern Mexico. This trade was conducted principally through St. Louis, in Missouri; and it was believed that, by diverting it through Texas, the distance of land-transportation would be shortened three or four hundred miles, and that republic be made the recipient of the vast profits realized. Another object was to be attained: that portion of the Texan territory would thus be conciliated, and the two sections, although separated by so wide a desert, bound together by the interests of commerce. The secretary of war proposed, as a preparatory step, the construction of a military road from Austin to Santa Fé. President Lamar seemed to feel a deep interest in the affairs of New Mexico, and as early as April 14, 1840, had addressed a letter to the authorities and people of that province.

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* "Telegraph," June 24 and July 15, 1840.

The president's health had been for some time very bad; and, getting no better, he obtained from the Congress a leave of absence, and about the middle of December retired from his official duties, leaving them to be discharged by the vice-president.

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* Report of the Secretary of War, September 30, 1840.

CHAPTER XI.

The year 1841 opened with prospects gloomy enough. The imports into Texas during the past fiscal year had exceeded one and a third millions of dollars, while the exports amounted to but little over two hundred thousand dollars, which exhibited an increase of indebtedness for that year of more than a million. From this, however, should be deducted a difference in valuations, and the amount of moneys brought into the country by immigrants; still, it would leave a large balance against the people of the republic. To this add the increase in the public debt; and also the utter want of means and credit of the government; and we may form an idea of the prospect before them. That the condition of affairs did not meet the public approbation is manifest from the fact that very few of the old members were returned to the fifth Congress. Under the circumstances, all eyes were turned to the able negotiations of General Hamilton. The propositions made in Great Britain, France, and Belgium, were infinite. To give Texas credit in Europe, and raise means to pay her debts, was a problem which General Hamilton had undertaken to solve. He was a man of financial genius, with the organ of hope largely developed, and possessed of a most untiring zeal. He was, however, greatly mistaken in supposing that he could easily change the views of the chief ministers of those ancient courts. That he labored honestly for Texas, there can be no doubt; but, at the present time, it is equally clear that the republic was benefited by his want of success. Among the plans for a loan was one set forth in the prospectus of Messrs. Lafitte and Company, bankers in Paris. After much negotiation, General Hamilton thought the affair concluded, and so wrote on the 4th of February, 1841.* The news was received with great joy, not only in Texas, but in the United States, for she had many friends there who were *interested* in her success. The treasury notes and bonds, that had been down to twelve or fifteen cents in the dollar, suddenly rose one or two hundred per cent.† This French loan was to extend to thirty-five millions of francs, and was to be raised by subscriptions, the bonds to be reimbursed in lands, duties, or cash, at the option of the subscriber. General Hamilton, previous to the consummation of the arrangement, had assured himself, as he supposed, of the favorable disposition and protection of the French government for the negotiation of the loan. This assurance he had in writing from M. Guizot, the prime minister, and verbally from the king. No sooner, however, had the negotiator left for London, and the prospectus for the loan was issued, than an article appeared in the "*Débats*," the government organ, opposing it. The bankers, seeing this, postponed opening the books for subscriptions.* General Hamilton did not yet despair; but there were difficulties in his way in Texas, of which he was not then advised. In February, 1841, there was pending before the Texan Congress a bill providing for the incorporation of a French company, which by its terms was authorized to introduce eight thousand French immigrants, to whom were to be granted three millions of acres of land along the frontiers of the republic, from Red river to the Rio Grande. This measure, which M. De Saligny, the French *chargé d'affaires*, had much at heart, passed the house of representatives, but was lost in the senate; and much unnecessary prejudice was excited against the French in consequence. There was also another matter in which the French *chargé* was personally interested.†

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* "PARIS, *February* 4, 1841.

"*To the Editor of the New York Times and Star:* —

"SIR: As the commissioners of loans of the republic of Texas were instructed by his excellency President Lamar, in the event of their effecting a negotiation of the loan for that republic, to make a public announcement of the fact, that meritorious holders of the securities of government, who may have aided the country in the hour of its necessity, may not be the victims of the speculation of those acting under secret information, I will thank you to state in your paper that I have this day concluded in this city a contract with the bank of Messrs. J. Lafitte and Company, for the Texan loan. . . . . .

"I am, very respectfully, your obedient servant,

"J. HAMILTON."

† Letter to B. E. Bee, April 18, 1841.

It seems that a difference occurred between a servant of M. De Saligny and Mr. Bullock, in which the servant was beaten by the latter. Saligny made his complaint to the government, and Bullock was arrested, and bound over to answer at the next term of the district court. In the meantime, the latter, who kept a hotel, finding Saligny on his premises, ordered him away. Complaint was also made of this outrage, and Bullock again bound over. These violations of diplomatic privilege exasperated the French minister, and a correspondence followed; but the Texan government failing to give satisfaction, the former left his post.‡ Saligny was a brother-in-law of M.

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* Letter of General Hamilton, May 18, 1841.

† "Fiscal History of Texas," p. 110. Mr. Gouge says he "had been on the spot, and inquired into the particulars. M. De Saligny had a number of horses, which were fed with corn. Mr. Bullock's pigs intruded into the stables to pick up the corn the horses suffered to fall to the ground. One of M. De Saligny's servants killed some of the pigs. Mr. Bullock whipped the servant."

‡ It was understood that a French fleet was coming to the gulf of Mexico to settle this affair; and the Texan *chargé* at Washington mentioned the subject to the American secretary of state, and to the British minister in that city, both of whom promised to send their respective squadrons around there to look after the French. But when Houston came again into office, a kind letter was sent

Human, the French minister of finance; hence he was found the first to oppose the loan, and so gave notice in the "*Messager*" and "*Moniteur*," his organs.

Still, General Hamilton thought that Lafitte and Company could carry the loan through without the aid of the French government, or at least that these differences could be adjusted: so he wrote, and continued to inspire the Texans with hope. In the meantime, gigantic projects were hewn out in Texas. A bank, with a large capital, was to be established. General Hamilton had procured John Horseley Palmer, late governor of the bank of England, to lay down a plan for it, and, it was said, was making efforts to secure the services of Samuel Jaudon, late agent of the United States bank, as president of this financial organ of the Texan government. But General Hamilton failed in Paris. His success was no better among the Dutch, for they also were borrowing. Still, the hope of a loan did not suddenly expire; the prospect, with alternations of brightness and gloom, afforded facilities for gambling in the sale and purchase of the notes and bonds of the republic. She was manifestly living on that hope: for her revenues in 1840, though nominally four hundred and fifty-eight thousand dollars, were in fact but little over ninety thousand dollars; and her expenses during that year were upward of four times that amount.

Texas had employed all the means in her power to secure her independence, and to induce Mexico to acknowledge it. She had formed a convention with Great Britain, by which she had promised to assume five millions of dollars of the debt due by Mexico to British subjects, if that government would procure from Mexico an acknowledgment of her independence.

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to France, which satisfied her wounded honor, and M. De Saligny returned to his post.—*Jones's Letters on Annexation*, p. 10.

She had sent Mr. Treat as a private agent to treat with the latter power; then Mr. Bee; and subsequently, in the spring of 1841, she had despatched Mr. Webb, with instructions to open and conduct negotiations for peace, under the influence of the mediation promised by Great Britain.* But the latter agent was not received, and immediately returned. This was followed by a report that the Mexicans were preparing to invade Texas. Thus was the republic overwhelmed with debts at home, and threatened with war from abroad. But the Texan Congress and executive were equally ready to meet the enemy. "Texas proper," says President Burnet, "is bounded by the Rio Grande: Texas, as defined by the sword, may comprehend the Sierra del Madre. Let the sword do its proper work." But the means were not to be had. It is believed that, had General Hamilton negotiated the loan, an army of at least ten thousand men would have marched into Mexico in 1841. They may possibly have thus won a peace, but the loan would have been exhausted. Mexico, on her part, was earnestly preparing for an invasion of Texas. She had succeeded in effecting a loan of three millions of dollars, with a portion of which fund she had engaged the building of two vessels-of-war at New York. These vessels were built, and delivered to her at Vera Cruz. But, while she was preparing, she found employment for her troops at home. Yucatan, having declared her independence, proceeded, on the 16th of May, 1841, to proclaim a republican constitution at the capitol in Merida, and despatched Colonel Martin Francisco Peraza as envoy to Texas. He arrived at Austin on the 11th of September, and entered into a speedy arrangement with the executive, the substance of which was, that Texas should furnish certain naval aid, and Yucatan engaged to pay its expenses in part while operating against the common enemy. The business was soon done, and Peraza embarked with the naval force destined for the coast of Yucatan. Mexico had yet other troubles. On the 6th of October, Santa Anna, at the head of ten thousand men, marched into the capital of the nation, deposed Bustamente, seated himself in the chair of state, and assembled a Congress of his own selection to confirm his authority. Thus was Mexico engaged at home.*

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* Anson Jones's Letters on Annexation, p. 16.

The freebooters on her frontiers found time, however, to make occasional excursions across the Rio Grande. Sometimes they would capture the property of the citizens, and even the citizens themselves. Captain Philip Dimit, long distinguished as a pioneer and gallant defender of Texas, became their victim. He was engaged, with some workmen, on the 4th of July, 1841, in erecting a mercantile establishment on Corpus Christi bay, about fifteen miles below the present town of Corpus Christi (but then known as the *ranche* of Aubrey and Kinney), when the place was visited by Captain Sanchez, aide-de-camp to General Ampudia, with a party of fifteen cavalry, who took Dimit and his men prisoners, and, after plundering the establishment, conducted them to Matamoras.* From this point, they, with others, were taken to Monterey, and delivered over to Arista. By his order they were ironed, and started into the interior, under a guard commanded by Captain Chaffind. That officer, a humane man, had their irons taken off after the first day's march. On the third day they arrived at Saltillo. Here their anticipations of a long imprisonment and horrid treatment were such, that they resolved to attempt their escape. They proposed to procure a quantity of *muscal*, well drugged with morphine, and give it to the guard, and, while they were affected by it, to escape. Two physicians, who were among the prisoners, were charged with this duty. Their gourds being supplied with this mixture, they arrived at the *Hacienda de Agua Nueva*, where they were quartered for the night. The Mexican guard were abundantly helped to the liquor in the gourds, and in the night the signal was given to make the attack. By some means, however, the morphine proved to be inefficient, and the *muscal* alone had served to keep the guard awake, and to stimulate their courage. There were only nineteen of the Texans, armed with but a few guns which they had picked up, and a guard of ten times their number. The Texans had got off some distance, when daylight appearing, Captain Chaffind sent for them, and said that, if they would return, they should be forgiven; if not, he would have Dimit shot. This was repeated in hearing of the latter, who, fearing that Chaffind would put his threat into execution, and not wishing to be shot like a felon, took a large dose of morphine which he had with him. Having taken the opiate, he wrote a letter to his wife, made a disposition of his property, and then calmly lay down on his blanket, requesting his friends around him to make known his death, and solicit the Texans to throw the mantle of charity over the act. "I do not fear death," said he, "but dread the idea of ending my life in a loathsome dungeon. Tell them I prefer a Roman's death to the ignominy of perpetual imprisonment, and that my last wish is for my country's welfare." Soon after, he sunk into a sleep, from which he never awoke. Thus fell a noble spirit, by whom the first "Lone-Star" banner was unfurled on the heights of La Bahia.*

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* Deposition of William Thompson, July 10, 1851.

One of these bands of Mexicans, under Ignacio Garcia, was met on the 7th of April, about ten miles from Laredo, by Captain John C. Hays, in command of a company of twenty-five spies. After a short contest, the enemy retreated, leaving three killed and three wounded. Hays pursued the fugitives so closely, that he took twenty-five of them prisoners, without the loss of any of his command.* These scouts under Captain Hays were very useful and efficient in protecting the western frontier from Mexican and Indian incursions.

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* Journal of Captain Thomas Pratt.

In the latter part of the spring of 1841, extensive preparations were being made in Texas for an armed visit to Santa Fé. The Congress having failed to make an appropriation for the army, it was disbanded, and consequently there were many men thrown out of employment, who were anxious for such an adventure. The objects and motives of the expedition must be explained. It has already been stated that the secretary of war had warmly recommended it in his report. President Lamar had spoken on the subject in the message of 1839. The friends of the measure had brought it up in each house of Congress, by the introduction of bills authorizing an expedition to Santa Fé, providing only for a small outfit; but both bills were rejected.† The object of the expedition was, to endeavor to prevail upon the people of New Mexico, residing within the statutory limits of Texas, to submit quietly and peaceably to an incorporation with the other citizens of the republic, and to acknowledge the right of Texas to complete jurisdiction over them. This being done, the revenue-laws were to be put into operation, and a small military force retained there for the purpose of repelling any sudden attack of Mexicans or Indians. A commissioner was also to reside at Santa Fé, as the agent of the government, with special instructions for his guidance. No further alterations were to be made in the laws or form of government of the people than were absolutely necessary in the change of their allegiance.* It was stated in an official paper that the expedition had been solicited by some of the citizens of Santa Fé, and the commander was instructed by President Lamar not to attempt a subjugation of the people by arms, should it be found that they were unwilling to submit to the Texan laws; and that the men were only permitted to go as an armed body, to defend themselves, and the articles of traffic taken with them, against the hordes of savages which they might encounter on the way.†

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* Captain Hays's official report, April 14, 1841.

† Report of the Select Committee on the Santa Fé Expedition, December 6, 1841.

The members of the expedition rendezvoused at an encampment on Brushy creek, about twenty miles from Austin. The military, under the command of brevet Brigadier-General Hugh M'Leod, consisted of five companies of mounted infantry and one of artillery. Accompanying these went a caravan of merchants, with goods, suited to the market, drawn in wagons; also some adventurers, who were neither soldiers nor merchants, but who went along for pleasure; and, finally, Messrs. William G. Cooke, R. F. Brenhan, and J. A. Navarro, the commissioners, who were charged by the president with the execution of his instructions.‡

Difficulties were raised in fitting out the expedition. There was no law making any appropriation for such an object, and each branch of the Congress had rejected a proposition for such an appropriation. The president, however, gave orders to the quartermaster and commissary generals of the militia to contract for the necessary provisions and munitions of war for the expedition. Having endorsed the orders himself, he directed the proper officers to audit and pay them. The controller having refused to allow these accounts, was ordered by the president, through the secretary of the treasury, to do so.[*] The gordian knot being thus untied, the expedition set out from Brushy creek on the 20th of June, 1841. The president had spent the previous night in the camp, and, after taking leave of the "pioneers," returned to the capital.

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* Secretary of State of Texas to B. E. Bee, June 21, 1841.

† James Reilly, Texan *Chargé*, to American Secretary of State, March 21, 1842.

‡ Secretary of State to B. E. Bee, June 21, 1841.

This expedition was unfortunate—in wanting the sanction of law, in its consequences, and especially in the time of its departure; for, on the 22d of June, the commissioners sent by Arista, to treat of an armistice, arrived in Austin. A more favorable feeling was beginning to appear; a brisk trade was springing up between Texas and the Rio Grande, encouraged by both parties; and it was understood that Arista was willing to unite with the Texan authorities in the overthrow of the robbers that infested the plains of that river. So soon, however, as the commissioners learned the departure of the Santa Fé expedition, they returned to Mexico, and the abduction of Captain Dimit and others followed.[†]

The number of volunteers doing duty under the orders of General M'Leod was two hundred and seventy. The remainder of those connected with the expedition, consisting of the staff, the commissioners, merchants, tourists, and servants, numbered about fifty. "The long train of wagons moving heavily forward, with the different companies of volunteers, all well mounted and well armed, and riding in double file, presented an imposing as well as an animating spectacle, causing every heart to beat high with the anticipation of exciting incidents on the boundless prairies."* After innumerable adventures—such as buffalo-hunts, Indian skirmishes, and mustang-chases—and much privation, with a loss of some few of the party—they arrived, on the 11th of August, within seventy or eighty miles (as they supposed) of San Miguel. During the most of this time they had been lost among the mountains of the Red and Wachita rivers. From this point they sent forward Messrs. Howland, Baker, and Rosenberry, to procure provisions, and ascertain how the expedition would be received.† The main body continued their wandering journey through a broken, barren country, until the 10th of September, when they came to something like an old cart-road, but it was soon lost in the sandy waste. The party were nearly driven to desperation by hunger. "Every tortoise and snake, every living and creeping thing, was seized upon and swallowed by the famishing men with a rapacity that nothing but the direst hunger could induce."‡ A few days afterward they came up with some Mexicans, on their return from a trading-excursion among the Indians; but the latter could give them nothing to eat, nor any information, except that San Miguel was still some seventy or eighty miles distant, but that there were settlements and flocks of sheep, where they could procure food, at the village of Anton Chico. The advance, which had first encountered the

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[*] The following is the president's order:—

"Executive Department, *March* 24, 1841.

"*Hon. John G. Chalmers, Secretary of the Treasury:*—

"Sir: You will instruct the controller to open upon his books an appropriation for fitting out an expedition to Santa Fé; also an appropriation, subject to my order, for disbanding the regular army; also an appropriation, subject to your order, for extra clerk-hire in the treasury department.

"Mirabeau B. Lamar."

"*To J. B. Shaw, Esq., Controller:*—

"Sir: You will comply with the above orders of the president.

"J. G. Chalmers, *Secretary of the Treasury.*"

On this order, something over eighty-nine thousand dollars were drawn from the treasury and applied to the Santa Fé expedition.—*Report of Select Committee, &c., December* 6, 1841.

[†] "Telegraph," June 23 and 30, 1841.

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* "Santa Fé Expedition," vol. i., p. 72. We are indebted to George Wilkins Kendall for a lively and romantic account of the expedition.

† Ib., vol. i., p. 162.

‡ Ib., p. 250.

Mexicans, sent back three of them to guide the main body by a shorter route, while they set out for the settlements. Arriving at a fine camping-ground on the Rio Gallinas, where the shepherds kept their flocks, "a scene of feasting ensued which beggars description."

The next morning it was determined by the advance party to send W. P. Lewis, captain of the artillery, and George Van Ness, secretary to the commissioners, directly to San Miguel. Messrs. Howard, Fitzgerald, and Kendall, accompanied them. They took a letter to the *alcalde*, informing him that a large trading-party from Texas was approaching; that their views were in every way pacific, and that they desired to purchase a considerable quantity of provisions to send back to the main body. They also took with them a number of President Lamar's proclamation, stating the object of the expedition, and that if the inhabitants of New Mexico were not disposed peaceably to join the Texan standard, the expedition would forthwith return. Accordingly, Captain Lewis and his party left the Rio Gallinas on the 14th of September for San Miguel.* The shepherds at the Gallinas had informed the advance that the country was in arms against the Texans, and that Howland and his companions, who had been sent in advance on the 11th of August, were prisoners at Santa Fé. Here, it would seem, a courier should have been despatched to General M'Leod with the information, so that, whether true or false, he could have been on his guard. Howland was, in fact, in prison, and attempted to make his escape, to give notice to the Texan commander; but he was retaken, and for that offence afterward shot in San Miguel.

Captain Lewis and his party, about two o'clock in the afternoon of the 14th, came up with two muleteers. From them they learned that Howland's party were prisoners at Santa Fé, and that a great stir and excitement existed in the country in consequence of Governor Armijo having informed the people that it was the intention of the Texans to burn, slay, and destroy, as they went. Here, again, it seems that this information should have been conveyed back to the main body. It was transmitted to the party left at the Rio Gallinas, but not to M'Leod. That night, Lewis and his companions slept at *Anton Chico*, where they received an intimation that they would be arrested and shot the next day. Disregarding this warning, they proceeded toward San Miguel; but on the way they were surrounded, disarmed, and dismounted, in the politest manner possible, by a company of Mexicans under the command of Don Salezar, and started on foot for the point of their destination. Shortly afterward they set out on the march for Santa Fé, but on the road met Governor Armijo, on his way to attack the Texan invaders of New Mexico. In addition to the fatigue of the march, the captives were tied together; and in this condition, about sunset, they met Armijo. The governor saluted them as friends, stated that he had heard of their capture, and asked them who they were. Captain Lewis replied that they were merchants from the United States. Here Van Ness interrupted him, and said that, with the exception of Kendall, they were all Texans. Armijo, seeing the lone star and the word "Texas" on Lewis's coat, took him by the collar, and said: "What does this mean? I can read—'*Texas!*' . . . . You need not think to deceive me," continued the governor; "no merchant from the United States ever travels with a Texan military jacket!"*

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* Santa Fé Expedition, vol. i., p. 270.

Lewis, being well versed in Spanish, was taken as the governor's interpreter, and mounted on a mule. His companions were compelled to retrace their steps on foot toward San Miguel, where they arrived on the following morning, and saw Howland and Baker, two of the Texans, shot. Armijo next proceeded against Colonel Cooke, who was left at the Rio Gallinas with the advance of the expedition, consisting of ninety-four men. The day after Lewis and his party had left Colonel Cooke, the latter set out with his force, and encamped near Anton Chico. He sent four of his men to the village to buy provisions, where they were arrested, but afterward released. Cooke asked Salezar what had become of Lewis and his party. He answered that, being satisfied with their good intentions, he had sent them on to the governor. On the 17th of September, when Cooke was about to set out for Santa Fé, Salezar sent him word that Armijo would be there in a few hours. With professions of great friendship on the part of Salezar, Cooke soon found himself pretty well surrounded by four or five hundred men. He was about to commence an engagement, when some one said Captain Lewis was at the head of the Mexican forces. Very soon, Lewis, in company with the governor's nephew, advanced. The former told Cooke that the people of New Mexico were exasperated against the Texans, and were in arms; that, in addition to the six hundred troops before them, he had seen four thousand more, well equipped, who would be on the ground in a few hours; that there were five thousand more on the march from Chihuahua, but Governor Armijo had commissioned him to say that, if the Texans would give up their arms, they could have permission to come in and trade, and that at the end of eight days they would be returned to them. Lewis further stated that such was the custom of the St. Louis traders when they came to Santa Fé, that no harm could result from such a course, and for the truth of these statements he pledged his honor. The Texans believed Lewis—

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* Santa Fé Expedition, vol. i., p. 295.

gave up their arms — were betrayed, arrested, and plundered. William P. Lewis was a *traitor.*[*] One is here reminded of the promises made to Fannin and Ward. Cooke had better have acted like Jordan at Saltillo.

The following day, Governor Armijo arrived, and ordered the prisoners to be all tied, and started them on to Mexico, without permitting them to see their friends who had been previously taken, after which he immediately set out to meet the main body of the Texans under General M'Leod. The latter, after receiving the message sent by the Mexicans at the Rio Gallinas, proceeded on his march; but the constant annoyance of the Indians, and, above all, starvation, rendered his movements slow, and wore out his command. He had reached the Laguna Colorado, some thirty or forty miles from the Rio Gallinas, when he was met by Armijo. Having but few men fit for service, their horses having nearly all perished or run away, and many of the men having thrown aside their arms to relieve themselves of the burden, the Texans, upon the promise of good treatment, and that their personal effects should be returned to them, surrendered. This being done, they were searched, plundered, bound, and marched off to San Miguel, where the last of them arrived on the 12th of October.

Kendall assigns the following as causes of the failure of the expedition: "In the first place, the expedition began its march too late in the season by at least six weeks. Had it left Austin on the first of May, the grass would have been much better, and we should have had little difficulty in finding good water for both ourselves and our cattle. In the second place, we were disappointed in obtaining a party of Lipan Indians as guides, and were consequently obliged to take a route some three hundred miles out of the way, and in many places extremely difficult of travel. Thirdly, the government of Texas did not furnish wagons and oxen enough to transport the goods of the merchants, and this, as a matter of course, caused serious delays. Fourthly, cattle enough on the hoof were not provided, even with the second supply sent for by the commissioners from Little river. Again, the distance was vastly greater than we had anticipated in our widest and wildest calculations, owing to which circumstance, and an improvident waste of provisions while in the buffalo-range, we found ourselves upon half allowance in the very middle of our long journey—a privation which weakened, dispirited, and rendered the men unfit for duty. The Indians also annoyed us much by their harassing and continual attempts to cut off our small parties and steal our horses. Finally, the character of the governor of New Mexico was far from being understood, and his power was underrated by all. General Lamar's estimate of the views and feelings of the people of Santa Fé and the vicinity was perfectly correct. Not a doubt can exist that they all were, and are, anxious to throw off the oppressive yoke of Armijo, and come under the liberal institutions of Texas: but the governor found us divided into small parties; broken down by long marches and want of food; discovered, too, a traitor among us; and, taking advantage of these circumstances, his course was plain, and his conquest easy."*

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[*] Extract of a letter from Armijo to Garcia Condé, governor of Chihuahua, and published in "*La Luna:*" —

"In consideration of the great services rendered by Captain W P. Lewis, in assisting me to capture these Texans, I have given him his liberty and his goods, and earnestly recommend him to the notice of the central government." — *Santa Fé Expedition*, vol. i., p. 346.

It would seem that when the advance reached the Gallinas, and had an intimation of a hostile feeling, they should have notified General M'Leod of that fact; and, as the sheep-folds furnished an abundance of meat, they should have sent back a supply to his famishing soldiers; and, above all, remained there till he came up and recruited his men. They would then have been able to present an undivided front to the enemy. Yet, after all, those engaged in the expedition may have adopted the best course. At all events, they were paraded in bonds on the plaza of San Miguel, on the morning of the 17th of October, and marched to Mexico by way of Santa Fé. Armijo, the governor, is fully described by Kendall; and he seems to have obtained in New Mexico a very consistent account of him. He began his career about Albuquerque, the place of his nativity, by sheep-stealing. At this business he was very expert. Even after he became governor, he boasted of having stolen and sold to the owner thereof the same ewe fourteen times! As he grew up, he turned his attention to *monté*, at which he was very successful. He took the lead in the revolt against centralism in 1837, but secretly remaining at his *hacienda*. Upon the overthrow of the federal party in Santa Fé, he managed to get himself appointed governor. In that exalted station he was controlled by no law but his own will, nor did his desires extend beyond the accumulation of wealth. His character was as bad as it could be, and his actions were consistent with it.

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* "The wild-goose campaign to Santa Fé was an ill-judged affair; and their surrender without the fire of a gun has lessened the prowess of the Texans in the minds of the Mexicans, and it will take another San Jacinto affair to restore their character."—*General Jackson to General Houston, May* 25, 1842.

Previous to leaving San Miguel, the goods of the Texan merchants were brought to the square, and disposed of according to the wishes of Governor Armijo. Captain William P. Lewis obtained a good share of them, as did also the governor. The prisoners were placed under the control and charge of Salezar, a brute in feeling, and a precious scoundrel in his business-relations. It is doubtless a clear principle that a people who will submit to the guidance of such men as Armijo and Salezar are unfit for liberal government, and it seems to be no violation of human or Divine justice that such a country should pass into better hands.* To illustrate the conduct of Salezar: early on the second morning after leaving San Miguel, the prisoners, weary, and chilled with the cold, were ordered to rise and continue the march. The only food offered to one hundred and eighty-seven half-starved men consisted of fifty small cakes! Calling the prisoners around him, Salezar would toss a cake into the air, to enjoy the scramble made by the poor fellows for the little morsel.

Without giving a detail of a march so long and painful, and under treatment so cruel, it is enough to say that, in the first days of February, 1842, the Texan captives, being separated, were safely confined in the prisons of Santiago, Puebla, and Perotė. Here we leave them to the tender mercies of Santa Anna, and return to the stirring events in Texas.

The term of service of President Lamar would expire in December, 1841, and a new chief magistrate was to be elected on the first Monday in September. The names of David G. Burnet, the vice-president, and Sam Houston, were presented to the people of Texas for this high office. During the canvass, there was much excitement. The newspapers entered into it with spirit and feeling. In fact, the strife was only surpassed by that witnessed the year before in the United States, in the contest between William H. Harrison and Martin Van Buren.

* "These Mexicans have shown themselves incapable of observing the rules and practice of honorable war between civilized nations. Their savage course will not fail to draw down upon them the retribution they deserve. Ought it not to be so? Why should a land, abounding in many of Nature's favors, be occupied by men who appear incapable of either moral or political advancement? We will not be disappointed if this proves, too, but the prelude to *the occupation of that country* [New Mexico] *by the Anglo-Saxon race.*"—*New Orleans Bulletin, January 3, 1842.*

The result was, the election of **Sam Houston** by three fourths of the suffrages. This was deemed an affirmance of his humane policy toward the Indians, of a more rigid economy in the administration of the public expenditures, and of a more pacific conduct toward Mexico. In the existing condition of Texas, it became important that her conduct should be such as to meet the approbation of the United States, of France, and of England, the three great nations that had acknowledged her independence, and were extending to her the relations of amity and commerce; for their sakes, as well as her own, it was important that she should act on the defensive, and abstain from all acts of robbery and plunder. By this course, the contrast would be more manifest when compared with the barbarous conduct of her enemy, and she could appeal with a better grace to the governments that had introduced her into the family of nations. **Edward Burleson** was elected vice-president.

Treaties had been made with the European powers, but not with the United States; it was therefore an important object with President Lamar to enter into a suitable commercial arrangement with that power. The treaty of 1831, between the United States and Mexico, by which their commercial relations were governed, was altogether unsuitable. The boundary-line between Texas and the United States had been run, and included within the limits of the former a wealthy and considerable settlement on Red river, before then considered as in Miller county, Arkansas. For the benefit of this and other Texan settlements in the Red-river valley, it was important to provide by treaty for an *entrepôt* on the Mississippi. A further and more definite treaty was necessary in regard to the Indians residing near the borders of the respective republics. To procure the formation of a treaty, covering these objects, occupied the last days of the administration of President Lamar.

But the engagements of Mr. Secretary Webster, in adjusting the differences of the United States with Great Britain, prevented its consummation.

The Texan minister at Washington, desirous of extending the trade of the republic, addressed a note on the 27th of February, 1841, to Señor D'Argaiz, the Spanish embassador in that city, suggesting the acknowledgment of the independence of Texas by Spain, and proposing that some commercial arrangement be made in regard to the trade between Texas and Cuba. D'Argaiz answered the note with much politeness, and promised to transmit a copy of it to Madrid, and also one to the captain-general of Cuba. He did so; but his letter to Madrid was lost on the ill-fated steamer "*President.*" After some delay, he sent another copy, and received in reply the declaration that the captain-general of Cuba was authorized to make a commercial arrangement. This answer was verbally communicated to the Texan *chargé* at Washington.*

The sixth Congress assembled at Austin on the 1st of November, 1841. The expenditures for the year had been one million, one hundred and seventy-six thousand, two hundred and eighty-eight dollars; while the receipts were only four hundred and forty-two thousand, six hundred and four dollars, and these almost entirely in government paper. The amount of the public debt was unknown; in fact, it had increased so enormously, that it could only be estimated.† In the papers of that time, and even in official documents, the estimate varied from seven to twelve millions of dollars! The national debt counted against the republic as so many dollars, while her daily receipts and expenditures were effected through the medium of her own paper, at a rate varying from ten to twenty cents on the dollar. It was manifest that some different course must be pursued. The paper was becoming every day more worthless, and the government itself could not long survive the use of it.

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* Señor D'Argaiz to B. E. Bee, March 8, 1841.

† Fiscal History of Texas, p. 118.

While her expenditures were so much greater than her receipts, it was very clear that Texas was not paying her debt: nay, the question arose, whether she could live at that rate; and, to men of reflection, it became palpably evident that she could not. Estimating the annual expenses at two hundred thousand dollars, and the interest on her debt at four hundred thousand dollars, the amount wanted each year would be six hundred thousand dollars. To meet this, would require a tax of fifty dollars to be paid annually by each of her twelve thousand voters—a thing impossible. The government was bound to live. Bread is the first thing—in affluence or poverty, bread is indispensable. Of the debt (which we will estimate at ten millions of dollars), a portion of it, say three millions, had been paid out by the government, not at its face value, but at its market value, varying between ten and fifty cents in the dollar. On the subject of its redemption, the secretary of the treasury, in his report, says: "While public faith, which should be held sacred, if possible, at all times, would seem to require the payment of our engagements to the uttermost farthing, still it should be borne in mind that we have not received full consideration for our liabilities; and if, under the imperious circumstances of our situation, we can only afford a liberal reimbursement to our creditors of their investment, strict justice will have been obtained." On this observation of the secretary, a late writer, in behalf of the creditors, is very severe upon Texas. "There is little hope," says Mr. Gouge, "that the rights of creditors will be much respected when those rights come in collision with the interests and necessities of government;"* and he speaks further of such being the "public mind" in Texas. This able writer is aware of the fact that these notes and bonds were not *money*, and that they were not paid out as such; but by the law of the land they were paid out in *equivalents*, at their supposed value. Many of them were finally sold in the streets at three and five cents on the dollar! A bill calling for one hundred dollars, thus sold, would nominally bear eight or ten per cent. interest. The fortunate holder who, upon his investment of five dollars, should receive back one hundred dollars in money, and interest on the amount, would be more lucky than the finder of a gold-mine. That portion of the debt contracted, not by *equivalents*, but to the amount called for on the face of the notes or bonds, stood on a very different footing; and the same good faith that required Texas to pay the value she received in the one case, required her to pay the entire obligation in the other: such, at least, was her feeling and wish at that trying moment. It is very true that this debt need not have been so large, and that its augmentation was unwise and ruinous; yet the fact was so, and the Congress of November, 1841, could not undo what had been done. Nor did the Texans choose to follow the example of their fatherland in regard to the continental currency —*let it go*. Mr. Gouge knew nothing of the "public mind in Texas." If he had examined the history of her struggle, as he did the books of her treasury, he might have learned somewhat of the public mind.

At the very time Mr. Secretary Chalmers was penning the report so offensive to the "rights of creditors," a scene was transpiring on the right bank of the Rio Grande, which, if Mr.

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* Fiscal History of Texas, p. 114. The United States set a bad example, in refusing to redeem her "continental" paper. She should have redeemed it for her own sake—for the word of a state is sacred. The same may be said of Texas

Gouge had read, as Texas read it, would have shed some light upon the subject of the public mind. The Texan prisoners, hungry, barefooted, and worn out, are driven before the Mexican guard. We will give the affair in the language of an eyewitness: "On being driven from the cart, M'Allister declared his inability to proceed on foot. Salezar drew his sword, and peremptorily ordered him to hurry on, and this when Salezar had half a dozen led mules, upon either of which he could have placed the unfortunate man. Again M'Allister, pointing to his swollen and inflamed ankle, declared himself unable to walk. Some half a dozen of his comrades were standing around him, with feelings painfully wrought up, waiting the *dénouement* of an affair which, from the angry appearance of Salezar, they now feared would be tragical. Once more the bloodthirsty savage, pointing to the main body of the prisoners, ordered the cripple to hurry forward and overtake them. *He could not.* 'Forward!' said Salezar, now wrought up to a pitch of frenzy; 'forward, or I'll shoot you on the spot!'—'Then shoot!' replied M'Allister, throwing off his blanket, and exposing his manly breast, 'and the quicker the better!' Salezar took him at his word, and a single ball sent as brave a man as ever trod the earth to eternity. His ears were then cut off, his shirt and pantaloons stripped from him, and his body thrown by the roadside as food for wolves."*

President Houston having entered upon the discharge of his official duties on the 13th of December, sent in his message to Congress on the 20th. On the subject of the war with Mexico, he stated that, after the unsuccessful advances already made by Texas for peace, no further effort should be made on her part; that kindness should be extended toward the people of

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* Kendall's "Santa Fé Expedition," vol. i., p. 393. The ears were taken along as a receipt, showing the disposition made of the prisoner.

Mexico, and the commerce between the two countries encouraged; that any interference in the civil wars in Mexico was incompatible with the dignity and interests of Texas, and calculated to exasperate the former, while it only weakened the resources of the latter. This portion of his message indicated his course in regard to Yucatan. His views on this subject were given more explicitly in a letter dated October 26, 1841, before the naval force sailed for the coast of that peninsula. "We have no interest," says he, "in forming alliances with foreign countries, if the laws even authorized the president to do so. Those who joined the federalists were betrayed. The result will be, that the people of Yucatan will reunite with the central government, and our navy will be betrayed."

On the subject of Indian relations, President Houston declared his policy to be totally different from that lately pursued. He recommended that trading-posts be established along the frontier, that traders be permitted to traffic with the Indians at these posts, and that a force of some twenty-five men be stationed at each. He further recommended the making of treaties with the Indian tribes; declaring that when the latter found that Texas was disposed to treat them kindly, confidence would be restored, and the interests of trade would keep them quiet; that millions of dollars had been expended in the attempt to exterminate them, but it had served only to irritate, and war and theft were the result. With an amount less than one fourth of former appropriations he firmly believed he could procure and maintain peace with all the tribes on the Texan borders.

On the subject of the finances and the condition of the treasury, the president stated that the government was in a condition more deplorable than at the period of its commencement. "There is not," he observed, "a dollar in the treasury. The nation is involved from ten to fifteen millions. The precise amount of its liabilities has not been ascertained. . . . . We are not only without money, but without credit, and, for want of punctuality, without character. At our first commencement we were not without credit; nor had a want of punctuality then impaired our character abroad or confidence at home. Patriotism, industry, and enterprise, are now our only resources—apart from our public domain, and the precarious revenues of the country. These remain our only hope, and must be improved, husbanded, and properly employed."

The president then proceeded to recommend some definite course or means of keeping the government from falling to pieces. He says: "I will not hesitate in recommending the only plan which, to my mind, appears practicable and efficient View it as we may, it will at least find justification in necessity. We have no money—we can not redeem our liabilities. These facts are known, and we had as well avow them by our legislation as demonstrate them by every day's experience. I would therefore recommend to the honorable Congress a total suspension of the redemption of our liabilities, to a period sufficiently remote to enable the government to redeem in good faith such as it ought to redeem. It is known to the executive that, to a considerable amount, they have been justly incurred, while he has reason to believe that many will be brought forward not by any means entitled to governmental consideration. To attempt a redemption of our present liabilities by taxing our population to the amount necessary, would be to them ruinous. Much as we might have deprecated this course of policy, we have now no other remedy left. The evil is upon us. While many just claims are thus deferred, we can only refer our creditors to our inability to pay our debts."

To sustain the government, the president recommended that the taxes be reduced, and that the same as well as the customs be paid in par funds. He also recommended the issuance of *exchequer bills*, not exceeding three hundred and fifty thousand dollars in amount, to take the place of the promissory-notes. He also advised a loan of three hundred and fifty thousand dollars.

These were the chief points in Houston's message. The sixth Congress, which might well be termed the "Reform Congress," went zealously to work, not only to reform abuses, but to inquire into the causes of those that had already occurred. A select committee of the house of representatives took to task the late president and vice-president for moneys drawn from the treasury without authority of law, and on the 6th of December, 1841, made a strong report on the facts. Yet, as these moneys were applied partly to the payment of the disbanded army and partly to the Santa Fé expedition, and the intentions of those high officers were believed to be good and patriotic, the matter was passed over.

To return to the movements of the Texan financial negotiator in Europe. After dismissing the business of Lafitte and Company in Paris, General Hamilton repaired to Brussels, and entered into a *quasi* agreement with the Belgian government; and, returning to London, he addressed President Houston a note, apprizing him that he would be in Texas between the middle of January and the first of February, 1842, with a commissioner of that government, who was coming out to see if the arrangement could be concluded.* It proposed that Belgium should specifically endorse a loan to Texas of seven millions of dollars, at six per cent. interest, redeemable by a sinking-fund within twenty years, upon a pledge of the public faith, the taxes and resources of the country, a general pledge of the whole of the public lands, and a special pledge of five millions of acres—together with a pledge of one half the amount borrowed, which was to remain in the Belgian treasury, at four per cent. interest, until Texas paid up the other half with the interest: which amounted to a joint-loan, Texas paying two per cent. on the half borrowed by Belgium, to obtain her as a partner. In addition to this, Texas was to admit Belgian manufactures of cotton, iron, woollen, and linen, at half the duties imposed on those of other nations; and her arms and munitions of war were to enter free of duty, while the same articles from other countries should pay a duty of one hundred per cent. Besides, Belgian vessels were to have the same privileges in the coastwise trade of Texas, and pay only the rate of tonnage paid by vessels of the republic. In addition to all this, Belgium was to send out a commissioner to look into matters in Texas, and report upon them to his government.* President Houston submitted the *projet*, without comment, to Congress; but that body did not adopt it.† On the contrary, it had previously repealed all laws and parts of laws authorizing the five-million loan.‡

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* Hamilton to the President, November 18, 1841.

Thus ended a fantasy which Texas had pursued for years, to the great prejudice of her finances and true interests. Honor to the noble resolves of the sixth Congress, which had proclaimed in Texas the true doctrine that a nation is not enriched by borrowing, and that the Palmers and Jaudons of finance were not the true fountains of a people's wealth! This body went still further: the two houses enacted a law abolishing many offices, and reducing the salaries of those retained;‖ and while they declined making a proposition for a loan, even for the small amount of three hundred thousand dollars—for they knew of no one that would take it—they authorized the issuance of exchequer bills to an amount not exceeding two hundred thousand dollars. The law further provided that nothing but gold and silver, and such bills, should be received for duties, or for direct or license taxes; that collectors of revenue should redeem them, when presented, with any money which they might have on hand; that the bills should be paid out for no other purpose than those specified in the appropriation laws, and when returned into the treasury they were to be cancelled.[*] But, ten days afterward, Congress went still further, and passed a law directing that a joint committee of the two houses should call on the secretary of the treasury, and receive from him every species of notes, star-paper, eight or ten per cent. bonds or notes, treasury warrants, drafts, or change-bills (which had been redeemed or paid in), "and the same set fire to, burn up, and wholly destroy."[†] And the same thing was to be repeated on the first day of every month, by commissioners to be appointed for that purpose. These were favorable signs.

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* General Hamilton's *projet*, Brussels, October 20, 1841.

† Special Message, February 22, 1842.

‡ Act of January 12, 1842.

‖ Act of December 11, 1841. "A comparative statement of the officers employed at the seat of government, their grade and pay, during the years 1840

On the 18th day of January, 1842, the first authentic information of the capture of the Santa Fé expedition was received in the Texan capital. It came through Señor Alvarez, the American consul at Santa Fé, and with a wonderful accuracy of detail. It filled the people of the republic with profound sorrow. They had seen a well-appointed force of noble spirits set out from the valley of the Brushy on the 21st of June, pro-

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1841, and 1842," made out by James B. Shaw, controller, on the 16th of December, 1842, is now before me, and shows the amount of salaries as follows:—

1840	$174,200
1841	173,506
1842	32,800

[*] Act of January 19, 1842.

[†] Act of January 29, 1842.

ceeding as they supposed to an easy and peaceful conquest. During the long march through the wilderness, they heard nothing from them; and it was indeed astounding to learn, for the first time, seven months afterward, that the entire expedition, with all the arms, horses, and goods, had been taken—without firing a gun—the property appropriated by the captors, and the prisoners bound and on the march to the city of Mexico!

On the receipt of the first report of the capture, the Texan representative at Washington laid the matter before the government of the United States, and urged its kind offices in behalf of the prisoners. As many of them were citizens of that republic, and had gone out in no hostile attitude, but only as travellers and adventurers, this fact was also strongly urged.* Mr. Secretary Webster immediately sent special instructions to Mr. Ellis, the American minister at Mexico, to procure the release of the citizens of the United States so captured; and, in relation to the Texan prisoners, he charged him to say to the Mexican authorities that summary, sanguinary, or undue punishment, of the Texans in their custody, would be more apt to defeat the object of that punishment than if the offenders were to have a fair trial; that it would excite and foment in the United States a bitterness of feeling prejudicial to Mexico: therefore, in a friendly manner, regular judicial proceedings and mild punishments were recommended.

Texas, not satisfied with this step, urged the appointment of a special envoy from the United States to Mexico; and, as the captives had many friends about Washington, a memorial was strongly signed and presented for that purpose. Other memorials also came in from a distance. These were followed by resolutions from the legislature of Kentucky, and then by resolutions of inquiry from the national house of representatives. Mr. Amory, the Texan *chargé d'affaires*, called upon Senator Preston, of South Carolina, for advice. Mr. Preston suggested that General Waddy Thompson, of his own state, be sent as minister to Mexico, with full instructions on the subject; and immediately waited on Mr. Webster, and urged his appointment. The latter approved of the proposition, and promised to lay it before President Tyler.* General Thompson was appointed, and took out with him further instructions to demand positively the release of the prisoners who were citizens of the United States, and also requiring that the Texans who were in captivity should be treated with humanity, and not abused or put to slavish or degrading labor.†

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* N. Amory to the Secretary of State of Texas, January 4, 1842.

The Texan Congress, upon receipt of the intelligence of the capture of the party sent to Santa Fé, passed an act extending the boundaries of the republic, so as to include portions of the states of Tamaulipas, Coahuila, Durango, and Sinaloa, and the whole of Chihuahua, Sonora, New Mexico, and the two Californias—embracing a country of greater extent than the American Union at that time, and including two thirds of the territory of Mexico, with two millions of her inhabitants! President Houston vetoed the bill, upon several grounds. He stated that other nations would view it as a *legislative jest*, inasmuch as it was the assumption of a right utterly impossible to exercise. He took occasion also, in his veto-message, to give a view of his pacific policy.‡ "I need not assure your honorable body," he observes, "of the ardent desire I entertain for peace and friendly intercourse with all nations. So long as we are not on amicable terms with Mexico, so long will we suffer hindrance to our prosperity. The constant cry of invasion will be sounded, not only throughout Texas, but throughout all nations to whom we are known; and while this is the case, we may feel confident that immigration will be impeded, if not entirely prevented. From this source we are to draw both population and wealth; and no matter how desirable our soil and climate might be to foreigners, nor how great their anxiety to make our country their home, it certainly would be no additional inducement to families that Texas should remain in hostile relations with Mexico, which might, and would, at all times, render their situation one of unpleasant excitement, if not of danger. . . . . . Texas only requires peace to make her truly prosperous and respectable. Peace will bring with it every advantage." He further argued that the bill for taking so much of their territory would arouse and unite the Mexicans, and excite them to a powerful effort against Texas, which would at least annoy the latter, and withdraw her citizens from the pursuits of industry. He further stated that the mediation of Great Britain had been invoked, and its exercise only delayed to await the ratification of certain treaties; that should this extension of boundary, however, be enacted, it would form a barrier to any successful negotiation, and suspend all diplomatic action on the part of the British government. The president, in conclusion, stated that the moment selected for bringing forward such a measure was most unfortunate, as the Santa Fé prisoners were then in the hands of the enemy, and he was using his best efforts for their release; that the news of this claim set up by Texas to so much of Mexico, arriving in the capital of the latter country, would render abortive all his efforts for their liberation, and perhaps cause their destruction. The fact of the passage of the bill by Congress, notwithstanding the presidential veto, had an unhappy effect upon the diplomatic relations of Texas. Mr. Webster, the American secretary of state, mentioned it to the Texan *chargé d'affaires*, and said "it looked as if Texas was too grasping, and might excite the jealousy of other nations."*

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* N. Amory to the Secretary of State of Texas, January 14, 1842.

† James Reilly to Anson Jones, Secretary of State, March 25, 1842. Daniel Webster to Waddy Thompson, April 25, 1842.

‡ Veto-Message, February 1, 1842.

The unanimous vote of the people of Texas in favor of annexation to the United States will be remembered, as also the diplomatic correspondence between Mr. Forsyth and Mr. Hunt, in 1837, on that subject. The administration of Martin Van Buren being opposed to it, the proposition was formally withdrawn by Texas on the 12th of October, 1838,† and not revived again until 1842. On the 26th of January of the latter year, Mr. Reilly, the Texan *chargé d'affaires* at Washington, was instructed to direct his attention to the subject, and observe whether there was any disposition on the part of the government of the United States to assent to or offer a proposal of that kind, and whether the American Congress and the people of that country manifested a like disposition. If so, he was directed to report the facts for further instructions. Mr. Reilly, after making the necessary inquiries, reported to his government that the administration of President Tyler was decidedly in favor of the annexation policy, that it was popular with the Congress, and that Texas was rapidly increasing in reputation and character in the United States.‡ The position of President Tyler before the people of the American Union was peculiar. A reference to a few facts will illustrate this. In the contest between the two political parties in 1840, the whigs advocated a United States bank, and the democrats the independent treasury. William H. Harrison, as the exponent of the former party, was their candidate for president; and, to enable them to succeed in the election, they had added to the ticket the name of John Tyler for vice-president. The antecedents of the latter had shown him to be a democrat, and opposed to a national bank; yet, as they would have the president on their side, the whigs were willing to wink at these heresies of their vice-president, provided they could thus draw over enough of the democratic element to succeed. Mr. Tyler also waived the subject as much as possible, in order to obtain the office. The plan was laid with great skill, advocated with unusual zeal, and crowned with triumphant success. On the 4th of March, 1841, these distinguished persons were duly installed into office, and an extra session of Congress called to meet on the last day of the following May, to put the bank into operation. But, on the 4th day of April, just one month after his installation, President Harrison died, and John Tyler was, by the constitution, invested with the executive functions. The Congress met, and the triumphant party very soon chartered a bank, which, to satisfy the supposed scruples of President Tyler, they called the "*fiscal* bank." He received the bill on the 6th of August, and vetoed it on the 16th. As this veto was not included in the programme of 1840, the Congress got up another bill, which, in further compliance with his conscientious scruples, was denominated the "fiscal corporation." This bill was sent to him on the 3d of September, and he returned it with his veto on the 9th. The whig party, which had thus far sustained him, could stand it no longer, but nearly all deserted. With the exception of Daniel Webster, the secretary of state, who had foresight enough to discover that a national bank was "an obsolete idea," the entire cabinet resigned. Mr. Tyler, having estranged himself from his ancient friends the democrats, could not count on their aid: so the administration presented the anomaly of a government without friends. However, the president had patronage, and some discretion, and soon gathered around him what was known in that day as a "corporal's guard," and so the federal government went on.

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* James Reilly to the Texan Secretary of State, March 11, 1842.

† Anson Jones to Aaron Vail, October 12, 1838.

‡ James Reilly to the Texan Secretary of State, April 15, 1842.

Since the battle of San Jacinto, the annexation of Texas had been more or less discussed by the people and press of the United States, and all men of discernment saw that it must take place, and that its consummation was only a question of time. The vast emigration to Texas, following the achievement of her independence, excited and hurried on this feeling in the popular mind. Mr. Tyler saw it, and had too much penetration, and was too much in need of friends, to permit the performance of an act so glorious to pass into other hands. He spoke freely to the Texan minister on the subject. "I am anxious for it," said he, "and wish most sincerely I could conclude it at once." —"The president would act in a moment," wrote Mr. Reilly, "if the senate would assent."* But, as matters then stood, it was deemed best to mediate with Mexico. Accordingly, instructions were sent out to Waddy Thompson to use his best efforts to bring about a peace between Texas and Mexico.

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* James Reilly to Anson Jones, Secretary of State, July 11, 1842.

CHAPTER XII.

It is said to be easier to raise spirits than to put them down. The spirit of economy had been called up in Texas; and the sixth Congress, being fully pledged to it, doubtless went too far. It is true that the appropriations of the two houses exceeded the revenue; but they took no measures to increase the latter. The president had recommended that the taxes be reduced one half, but paid in par funds. This would, in fact, have increased them two hundred and fifty per cent.; but it was not done, and the amount of direct taxes collected, scarcely paid the expenses of the operation.* The result was, that the issue of exchequer bills, though small, was entirely dependent upon the duties on imports for redemption. The large frontier of the republic, contiguous to the United States, afforded such abundant facilities for smuggling, that the amount of these duties was greatly reduced. Hence the exchequer issue was not worth, in June, 1842, more than fifty cents in the dollar. Texas was in a state of torpor, and her people, occupied with their private affairs, seemed to take little interest in the national credit or in public business.

But they were soon aroused from this state of torpidity by the appearance of an invading army from Mexico. This army was not intended or expected to resubjugate Texas. That idea had not entered into the head of Santa Anna since he kissed the hand of Sylvester, on the 22d of April, 1836. The subject of annexation had been freely discussed in the United States. In all those discussions, the principle, as laid down by Secretary Forsyth in 1837, was admitted to be correct; "but," said the advocates of annexation, "the war between Mexico and Texas has terminated; no hostile army of the former has invaded the territory of the latter for six years, and, though there has been no formal recognition by Mexico, the war is in fact ended, and there is no legal impediment to annexation." It was in reply to these discussions that a thousand Mexican troops were despatched to Texas early in 1842. Texan spies had given short notice of their advance upon Refugio, Goliad, and San Antonio. The enemy, under the command of General Rafael Vasquez, amounting to about seven hundred men, of which only about one hundred were infantry, appeared before San Antonio early on the 5th of March, and sent in Colonel Corasco to demand a surrender of the place, promising complete protection and immunity to such as should not contend in arms. At that time, the Texan force in the town consisted of only a little over one hundred men, mostly from Gonzales, under the command of Colonel John C. Hays. A consultation was held, when it was determined to despatch Messrs. Van Ness and Morris to the Mexican general, and inform him that the Texans would decide by two o'clock in the afternoon what they would do. The commissioners repaired to the enemy's headquarters, and made known this fact. In the meantime, the Texans concluded to evacuate the place, which they did, and retired upon the Guadalupe. The commissioners remained with Vasquez until night, were treated with great hospitality, and then escorted out of the enemy's lines. The Mexicans, in taking possession of the town, hoisted the national flag, appointed an *alcalde*, and declared the Mexican laws to be in force. They behaved with great propriety at first, and placed sentinels over private property for its protection. They brought with them and scattered over the place Arista's proclamations of the 9th of January preceding. The American population, with very few exceptions, left with the Texans troops. The enemy remained in the town only two days, and departed on the morning of the 7th. They took with them all the valuables they could carry, for which purpose they collected what wagons and carts they could find. In other respects they behaved as well as could be expected of a public enemy. A considerable number of the Mexicans of San Antonio went with them.* It is also to be observed that the plunder taken was not by order of the enemy's officers, but by the soldiers privately, and by the Mexican citizens, who carried it off with them as their own.†

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* Houston's Message, June 27, 1842.

On the day the enemy took San Antonio, a small force entered Refugio. They conducted themselves with like propriety at that point, paying for what was furnished them.‡ On the evening of the 3d of March, a party of forty Mexicans appeared at Goliad. They found few people there, nor were they so civil to them, but took two or three of the men prisoners, and drove off some beeves.‖ They, however, soon retreated, as did those from Refugio.

The news of this invasion was sent from each point of contact with wonderful despatch to every part of Texas, and loud calls were made for a turn out *en masse* to repel the invaders. The summons was immediately obeyed; but the distance from these points to the settlements was considerable. However,

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* Letters of W. D. Miller, March 9 and 13, 1842.

† Letter of General Terrill, March 16, 1842.

‡ Letter of W. J. E. Heard, March 6, 1842.

‖ Letter of James D. Owen, March 4, 1842.

General Burleson reached San Antonio on the evening of the 15th of March with two or three hundred men, and other forces from the lower settlements on the Guadalupe and Colorado soon arrived. The panic, nevertheless, induced many families on the frontier to fly from their homes. The report had preceded them that the enemy were many thousand strong. Official calls were made upon the militia to turn out and repair to the point of danger; and Brigadier-General A. Somervell, of the first brigade, being the senior officer of the militia, was directed to take the command.* It was understood and expected that Austin, the capital, would be attacked. This was a most important point to Texas; for all her records, and especially the papers of the land-office, upon which every land-title in the republic depended, were there kept. While most of the inhabitants retired farther within the settlements, a force of some two hundred men remained behind to guard the town. The chests containing many of the records were, for greater safety, buried in the ground.

By the 15th of March, the number of Texans in camp, and on the march, was at least thirty-five hundred;† but they had turned out without preparation, and only for a campaign of a few weeks. A consultation was held on that day by the officers at San Antonio, when it was concluded that the Mexicans had already crossed the Rio Grande; and, as the order of the secretary of war did not authorize a march across the Texan boundary, it was decided to halt until General Burleson could ascertain the views of the president on the subject of marching into the enemy's country. But, on the day before, the executive had issued an order, directing the troops to be organized, and to await further orders.

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* Order, March 10, 1842. Executive Record, p. 47.

† Order, March 14, 1842. Executive Record, p. 51.

Having determined, if practicable, to commence offensive war against Mexico, it became necessary to obtain aid from the friends of Texas in the United States. To carry the Texan banner successfully into the enemy's territory, "would require all the munitions of an invading army; a military chest would also be necessary to effect the object and insure success;" the troops should be landed at a designated point, and subject to the orders of the executive; each soldier should be supplied with six months' clothing; the recompense of the troops should consist of the property they obtained by conquest upon principles of honorable warfare.* These were the views made public by the president on the 16th of March; and agents were despatched to the United States to see what could be done. W. H. Dangerfield was appointed commissioner, under an old unrepealed law of 1839, authorizing a loan of a million of dollars, to ascertain what could be effected in that way.† He was also instructed to act as an agent, as were others, and directed to use every exertion to procure pecuniary aid from abroad.‡ In regard to the volunteer troops that were invited from the United States, special orders were given to the agents that none were to come except such as were armed and "clothed and provisioned for six months." This was absolutely necessary, for Texas had neither money nor credit with which to do these things. It was estimated that five thousand troops would be required for a successful invasion, and that two millions of dollars would be needed. When we look at the force and means employed subsequently by the United States for the same purpose, the estimate was low enough.

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* Letter to H. H. Washington and others.

† Houston to Dangerfield, May 17, 1842. Executive Record, p. 92.

‡ Ib., Executive Record, p. 91. Letter to H. R. A. Wigginton, May 13, 1842. Letter to John Darrington, May 12, 1842. Letter to Walter Smith, May 12, 1842. Letter to Barry Gillespie, April 30, 1842.

The president again wrote to General Somervell, on the 18th of March, reminding him of the important preparations necessary for an offensive war. As many of the troops were anxious to proceed at once across the Rio Grande, without any preparation, order, union, or discipline, he referred to this point, and to the fate of Grant, Johnson, and, in fact, all the disasters of the spring of 1836, and warned them against disobedience of orders. Making an estimate of the time necessary to collect means and troops from the friends of Texas in the United States, the president informed General Somervell that the army would not be ready to move from the rendezvous under four months, or until the 20th of July.

In the meantime, great excitement had arisen among those volunteers who expressed a wish to advance immediately. In fact, it was reported that an army would be raised and march into Mexico on its own account; and that, for this purpose, agents, other than those appointed by the government, were collecting troops and means in the United States. To counteract these lawless proceedings, President Houston issued his proclamation on the 25th of April, declaring such agents as acting without the authority of the republic; that the war with Mexico was national, and would be conducted by the nation; and that such conduct on the part of such pretended agents was calculated to embarrass the republic.

This excitement and party strife had been greatly increased by proceedings in the Texan camp at Bexar. General Somervell arrived in camp on the 18th of March, but the troops refused to obey the president's order. General Somervell then retired, leaving General Burleson in command, but without orders. On the 31st of March, General Burleson addressed him a note, saying that if he would repair to headquarters the next day, he would again cheerfully yield the command to him.

This General Somervell declined, as the troops claimed the right of electing their commander. On the 2d of April, General Burleson disbanded them. This was followed by a publication from that officer on the 6th of April, in which he says: "I feel no hesitation in believing that if my orders had permitted me to cross the Rio Grande, and retaliate upon our enemy his oft-repeated outrages, by this time five thousand brave men would have been west of said river, inflicting a chastisement upon him which would result in an honorable peace. But President Houston's order of the 22d of March—in which he says that 'one hundred and twenty days will be necessary before we can make a move against the enemy'—was a finishing stroke to all our present prospects of redress." The vice-president may have been right in his view of the matter, for he was a man of daring spirit and military sagacity; but experience has since shown that it required from the United States an army of twenty thousand men, and an expenditure of seventy millions of dollars, to procure from Mexico an honorable peace.

In the meantime, the president advised the Texan agents in the United States to send all *emigrants* to Corpus Christi, and not to permit them to come without arms, clothing, and provisions, for Texas was absolutely unable to furnish these things. Notwithstanding these directions, the volunteers came over the gulf, and landed at *Galveston*, without having any of the requisites named in the positive and repeated orders of the executive. The government therefore pressed into its service a vessel to take them to the rendezvous, where they were compelled to subsist as best they could—and they could obtain nothing but beef.

To obtain means, and a legal sanction to an invasive war, the president convened the Congress, to meet on the 27th day of June. It was summoned to meet at Houston.* The Mexicans having procured two vessels-of-war from England, in addition to the two purchased at New York, it was expected that they would appear on the Texan coast; and preparations were made at Galveston for their reception. The Texan navy having sailed to the coast of Yucatan in the fall of 1841, in pursuance of the treaty concluded with Peraza, was not available, although its return was expected. In the meantime, a coast-guard, under the command of Captain John Clark, was organized and despatched to Aransas bay, and elsewhere along the coast, to look out for any vessels freighted for the enemy.† A number of volunteers from the United States being collected at Corpus Christi, the adjutant-general, James Davis, was ordered on the 5th of May to repair to that point and take the command.‡ He was directed to organize and discipline the troops;

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* The constitution provided (section 8, general provisions) that the president and heads of departments should keep their offices at the seat of government, unless removed by permission of Congress, or unless in *cases of emergency in time of war* the public interest may require their removal. On receipt of the news of the Mexican invasion, the president issued an order (March 10, 1842) for the removal of the archives of the republic to the city of Houston. The citizens of Austin held a meeting, and appointed a committee to organize resistance to this order. They notified Colonel Ward, commissioner of the general land-office, that they were ready to assist in the removal of the land-office papers, but that it must be to such place as they might select, and not the president. The affair created considerable excitement at the time, and the more because local interests were involved as well as the safety of the records. The following order from the officer acting under the authority of those who had resolved to resist the executive order, will give an idea of the matter:—

"REGIMENTAL ORDERS, BASTROP, *March* 19, 1842.

"*Mr. George Noessel:*—

"SIR: In pursuance with orders from headquarters, dated 18th inst., you are hereby ordered to stop any wagon running down the river, except those under a French passport [De Saligny was removing his archives].

"You will examine all trunks, unless the teamster will swear that he saw the same loaded, or the contents of the same, &c.

"W. S. WALLACE, *Lieutenant-Colonel 4th Regiment Texas Militia.*"

† Order, March 12, 1842. Executive Record, p. 51.

‡ Executive Record, p. 87.

and they were by no means to advance toward the frontier without the orders of the executive, and any attempt to do so without orders was to be suppressed. "The greatest and every curse," says the order, "which has befallen Texas, and every disaster and massacre, have resulted from a foolish passion to take Matamoras without means. When there are means for a successful attack, it shall be taken; and, until then, any attempt would be destructive to Texas."

General Davis, on reaching the troops, found them on the Nueces, greatly disorganized, and without anything to eat. He appointed a quartermaster, but he could procure nothing but beef, and that he obtained from the few settlers without remuneration; for, as has already been stated, the government had neither money nor credit. The citizens of Refugio county complained bitterly to the president of the consumption of their property. "Not only have all our beeves been taken," say they in their petition, "but our cows and young calves are impressed, and many of our families left without beef, the principal means of our support."* Unhappy Texas!—too poor to provide provisions for a few troops, and too much out of credit to borrow! Nevertheless, it was perhaps best for the cause of humanity and civil liberty that both Texas and Mexico were unable to raise the means for prosecuting offensive war. The want of men and munitions gave opportunity for reflection; and the time required to procure these served also to calm the passions aroused and to heal the wounds inflicted by past oppression. The poverty of Mexico had another good effect: it induced her to release the Santa Fé prisoners. Some few of them were discharged in April, 1842, and the others not long afterward†—with the exception, however, of José Antonio

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* Petition of Michael Reilly and others, May 18, 1842.

† I have just returned from Mexico, where I had the means of knowing

Navarro, one of the commissioners sent out by President Lamar. He remained in prison some two years longer.

The solemn assurances voluntarily given by Santa Anna, while in Texas, of his favorable disposition in regard to her independence, did not accord with his conduct in sending the force under Vasquez to San Antonio. In addition to this fact, he had written letters to Messrs. Bee and Hamilton, full of the high pretensions of Mexico. General Hamilton had written him a letter, proposing an indemnity of five millions of dollars to Mexico in consideration of a treaty of peace and limits, and two hundred thousand dollars for contingencies and secret service. Santa Anna became indignantly virtuous on the receipt of this letter, and, although it was marked "confidential," caused it to be published in the newspapers of the city of Mexico on the 18th of February, 1842, with his reply,

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pretty well what disposition would probably be made of the Texan prisoners. The government have kept them so long, and at so great expense, that they would willingly get rid of them under any conditions. It was supposed by their excellencies, General Thompson and Mr. Pakenham, that they would all be released in a short time; and, with this expectation, the former wrote me, on the 30th of April, to request the 'Texas government and their friends at home to put him in funds to take care of them.' They will require at least two thousand dollars to take them from their several places of confinement to Vera Cruz."—*Letter of F. Perin, May* 26, 1842.

"Two drafts, one for 1163.66 dollars, and another for 5090.10 dollars—both in favor of L. S. Hargous, Esq., American consul at Vera Cruz—have been laid before me. I can not describe my regret at not having it in my power to meet the demands. The government has not one dollar of the funds described, nor has the executive the means to obtain them for any purpose. The situation of the Santa Fé prisoners has been known to the honorable Congress for the last two sessions, and its attention called to their condition, but no law was passed for their relief. There is not one dollar left at the disposition of the president, except to meet special appropriations made for the present year. The president sympathizes most feelingly with the Santa Fé prisoners, and rejoices at their return to their country and friends. If his private means would enable him to do so, he would most certainly relieve all their wants, and contribute to their comforts; but he is as destitute of means as the government of Texas.

"I am your obedient servant, "SAM HOUSTON.

"*August* 24, 1842."

Executive Record, p. 139.

in which he denounced the offer as *impudent and audacious.*[*] This conduct of Santa Anna was presented to the notice of the president of Texas, and, after the incursion of Vasquez, he deemed it proper to reply to these pretensions of the Mexican dictator. This he did on the 21st of March, by a reference to past transactions, and in a manner so appropriate as to attract the attention of other powers. The letter was extensively circulated in America and Europe; it was also published in Yucatan in the Spanish language, and thence circulated to some extent in other parts of Mexico.[†]

In accordance with the executive call, the Texan Congress assembled at Houston on the 27th of June; and on the same day the president sent in his message. After referring to the late incursion of the enemy under Vasquez, and the pompous declaration of Santa Anna, threatening the resubjugation of Texas, he said: "Our citizens have been, and are still, liable to continual annoyance from the enemy. No formidable invasion, it is true, has been attempted since 1836, nor do I believe they will ever be able to effect its accomplishment; but, though this is my firm conviction, I am nevertheless equally satisfied that they will interpose every impediment to the peace, prosperity, and settlement, of our frontier." He therefore advised that measures be taken to counteract the enemy's designs. He further stated that, under the conviction that an immediate invasion had been intended by the Mexicans, he had felt himself authorized, by virtue of existing laws, to invite immigrants from the United States, to assist in giving protection to the advanced settlements. Under that invitation, immigration to some extent had taken place; and, for want of means on the part of the government, the immigrants had been sustained almost entirely by private contributions. They could not, however, be longer supported in that way. The president therefore asked the Congress for an immediate decision of the question of invasion. He then referred to the finances of the republic—reminding the two houses of former recommendations, and the consequences which had resulted from their failure to provide a revenue. Among other things, he stated that, for want of appropriations, the transportation of the mails had *entirely ceased.* This had greatly embarrassed the executive, "for he had not one dollar at his disposition for the employment of expresses, even under the most urgent circumstances." These matters, together with a recommendation that an appropriation be made for the support of the navy—lately returned from the coast of Yucatan—closed the more important points of the message.

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[*] These facts are taken from a Spanish copy of General Hamilton's reply of March 21, 1842, published in Merida de Yucatan.

[†] Executive Record, p. 56. See Appendix No. VIII.

The two houses, during their session, called upon the president for information in regard to the immigrant volunteers. He replied on the 18th of July, informing them that a spirit of insubordination and mutiny openly prevailed among them, destroying every hope of usefulness and harmony; that he despaired of their reformation, and suggested that it would be more politic for Texas to rely upon her own militia, and to discharge the foreign volunteers.*

The Congress at length passed a bill authorizing offensive war against Mexico. It provided that the president should call for volunteers for that purpose, and, should the number responding to such call be insufficient, then he was required to order out not exceeding one third of the militia of the republic, including those that volunteered. The executive was authorized to take command of the army in person; and suitable agents were to be appointed to receive, in and out of the republic, contributions of land, money, provisions, and equipments, necessary for the prosecution of an offensive war; and the president was authorized to hypothecate or sell not exceeding ten millions of acres of the public lands for the purpose of raising a war-fund.

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* Executive Record, p. 120.

It was very clear that, to prosecute an offensive war, with the hope of making even an impression on the eastern provinces of Mexico, less than five thousand troops would not be sufficient. It was equally clear that they must have a military chest. So large a body of men could not march and subsist on the proceeds of the chase, or the few cattle on the route east of the Rio Grande. The Congress had appropriated ten millions of acres of the public lands; yet, at that time, under existing contracts, persons emigrating to Texas could obtain lands by settling on them; and land-scrip representing thousands of acres was in the markets of the United States, and could be purchased at the rate of twenty-five dollars per section. At this rate, if the whole ten millions of acres could have been immediately sold, it would have realized only four hundred thousand dollars. This amount would scarcely have equipped the army. As to the donations, the government had not even the means to start out its agents. The people of Texas were too poor to give to any extent, and the zeal of her friends in the United States had greatly abated since they had received the news of the retreat of Vasquez from San Antonio. Colonel Dangerfield, who had proceeded to New Orleans to procure the million loan, did not obtain a dollar. For these, and other reasons presented, the president vetoed the bill.*

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* Veto-Message, July 22, 1842. Executive Record, p. 126. General Jackson, in a letter to President Houston, dated August 17, 1842, says: "If you had not vetoed this bill, it would have led to the destruction of your country, and the

The Mexicans embodied on the west bank of the Rio Grande were constantly advised, through the traders to Corpus Christi, of the situation and numbers of the Texan force on the frontier. The volunteers under General Davis, on the Nueces, by the last of June had been reduced by desertions and other causes to one hundred and ninety-two men. The enemy, being informed of this, determined to attack them. Accordingly, on the evening of the 6th of July, General Davis received intelligence that he would be assailed the next morning by a considerable force under Canales, the old federalist chief. He removed his camp from the open prairie about two hundred yards nearer to a ravine, for the better security of his troops against the Mexican cavalry, having his right protected by the river and a slight skirt of timber. At daylight on the 7th, the enemy, about seven hundred strong, of whom five hundred were cavalry, with one piece of artillery, attacked the camps, or tents of brush, which the Texans had left the evening before. After making a charge, they discovered that the Texans were not there, but, discerning their new position, they advanced upon them in a very careless and disorderly manner. A few of the enemy, being in advance of their main force, were permitted to approach near the Texan lines, when they were fired upon with some effect. This checked them, and they fell back to

disgrace of all concerned in the invasion of Mexico—as the attempt in your present situation must inevitably have failed, and placed you in a condition that you could not successfully defend Texas from being reconquered by the power of Mexico. Your true policy is to act upon the defensive, and husband all your means for this purpose, and be at all times prepared to meet and destroy any invading or marauding party of Mexicans."

"I have always thought," says Joel R. Poinsett, in a letter dated May 26, 1842, "that the true policy of Texas consisted in maintaining a defensive attitude, strengthening itself as much as possible at home and abroad, and suffering Mexico to forget its existence, which, with their usual apathy, if unmolested, they would soon do. Every year would render invasion by Mexico less probable, as well as much less likely to succeed, should such an unprofitable and extravagant measure be resolved upon by the pride and folly of that government."

the main body, who opened a fire upon the Texans, but the distance was too great to produce any result. When the enemy had got out of reach, the Texans ceased to fire, but remained in their position. In a short time, fifty of the Mexican cavalry, with the piece of artillery, took a position about two hundred and fifty yards to the Texan left, with a view to rake their line. At this moment, a Texan soldier, named Ferguson, by a lucky shot with a large rifle, inflicted a mortal wound on the officer commanding the detachment with the cannon; whereupon the whole force under Canales retreated. They carried off with them, however, a stand of colors belonging to the Galveston company, which had been accidentally left at the former camp. In this affair, the Texans had only one man slightly wounded; the enemy's loss was not ascertained.* Soon after this, the volunteers under General Davis disbanded.

The veto of the war-bill produced considerable excitement against the president, yet he was firm to his purpose. It is not improbable that information received from the Texan *chargé d'affaires* at Washington† had some influence on the mind of the executive; for just before the war-bill passed the Congress, he received notice that the government of the United States intended to represent to that of Mexico the folly of a further continuation of the war, and to offer its services as mediator. Accordingly, Mr. Webster addressed to the American minister at Mexico an admirable letter on that subject. He referred to the facts that the language, customs, and habits, of the Texans, were different from those of the people of Mexico; the great distance of Texas from the Mexican capital; the long period during which they had been separated; the recognition of the independence of Texas by so many great states; the treaties and commercial relations entered into with her; and the additional but important fact that the ultimate reannexation of Texas to Mexico "was among the things most to be doubted."* For these reasons, the United States looked upon the war as useless, and quite annoying to the commerce on the gulf; and, while she could not interfere, if the parties were determined to continue the contest, she could not look at it with indifference, and would cheerfully accept the office of mediator if desired. Mexico, however, having rejected the mediation of Great Britain,† also rejected that of the United States, and prepared, not for another invasion, but for a marauding expedition similar to that which she had sent out in the spring.

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* General Davis's report, July 7, 1842.

† James Reilly to the President, June 10, 1842.

At daybreak, on the 11th of September, 1842, a force of about twelve hundred Mexicans, under the command of General Adrian Woll, entered San Antonio. At that time, the district court [illegible] Bexar county was in session, and the appearance of the enemy being unexpected, the citizens were but little prepared for defence.‡ After a slight resistance, by which a few of the invaders were killed and wounded, a capitulation was agreed upon; and the citizens, having assurances that they would be treated as prisoners-of-war, surrendered. The enemy thus acquired fifty-three prisoners, including Judge Hutchinson, presiding in the court, and the lawyers in attendance. They conducted themselves with the same propriety as in their incursion of the previous spring. No authorized plunder or robbery occurred. The object of the expedition was doubtless the same as that of the former—that is, to contradict the argument advanced by the annexationists in the United States, that the war was *in fact* at an end.

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* Daniel Webster to Waddy Thompson, June 22, 1842.

† Ashbel Smith to President Houston, May 31, 1842.

‡ Report of the Secretary of War and Marine, November 12, 1842.

General Woll still lingered in San Antonio; and news of the incursion reaching the Texan executive, orders were issued to the militia west of the Brasos to repair to the point of attack, and to the militia east of that river to hold themselves in readiness. Brigadier-General Somervell, the senior officer of the western militia, was ordered to repair to the frontier and take the command.* His instructions were to assume the charge of all the troops who would submit to his orders. The secretary of war had previously issued an order, directing those who had turned out on the first alarm to report to the government; but no report was made. General Somervell was therefore ordered to report regularly, as the government would look to him for official news.

The report of the enemy's arrival at San Antonio reached Gonzales the same day, when the citizens, to the number of eighty men, under the command of Captain Matthew Caldwell, set out to meet him. They arrived at Seguin on the 13th of September.† Having advanced to the Salado, a creek six miles east of San Antonio, Captain John C. Hays was despatched with about fifty men to draw out the Mexicans. In this he succeeded well; for General Woll, with two hundred cavalry and six hundred infantry, sallied from the town in pursuit, while Hays fell back on the Salado. Caldwell had here a force of about two hundred and twenty men, well posted behind the bank of the creek, some two miles above the crossing. About eleven o'clock in the morning, he was attacked on two sides by Woll's entire force of eight hundred men. The action continued till near sunset, when the enemy fell back, badly cut up, with a loss of sixty killed, and perhaps as many wounded.‡

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* President Houston to Somervell, October 3, 1842. Executive Record, p. 149.

† Quartermaster Bennett's letter, September 27, 1842.

‡ Caldwell's first report of this engagement is as follows:—

"SUNDAY, *September* 17, 7 *o'clock, P. M.*

"At the Salado, two miles above the old crossing, we commenced fighting at

The Texans had but one killed (Jett), and nine wounded. But just as the fight ceased between Caldwell and the Mexicans, a fearful tragedy occurred. Captain Dawson, with fifty-three men, from La Grange, in attempting to join Caldwell, were discovered and surrounded by the enemy. Dawson found a grove of mosquite-bushes, in which he rallied his men and commenced his defence; but the Mexicans withdrew from the range of his rifles, and poured in upon his unprotected company a shower of grape-shot. Dawson sent out a white flag, but it was fired on. Thirty-two of his men were killed, two or three escaped, fifteen were taken prisoners, and the remainder cut down after they had surrendered. Among those that escaped was Woods, who, in the act of delivering up his arms, received a cut from a sword. He seized a lance in the hands of one of the enemy, killed the lancer, mounted his horse, and reached the position of Caldwell in safety.*

Many of the Mexicans of San Antonio and its vicinity were engaged on the side of the enemy. Among them were Colonel John M. Seguin and Cordova. Seguin, up to the beginning of 1842, had been the steady friend of Texas: he had a small company of *rancheros* at the battle of San Jacinto, where he behaved handsomely; and after that event, he had been continued in command on the western frontier.† But he left the

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eleven o'clock to-day. A hot fire was kept up till about one hour by sun, when the enemy retreated, bearing off their dead on the ground, and very many dead and wounded were taken from the field by their friends. We have a glorious band of Texan patriots, among whom ten only were wounded, and not one killed. The enemy are all round me, on every side; but I fear them not. I will hold my position till I hear from reinforcements. Come and help me — it is the most favorable opportunity I have ever seen. There are eleven hundred of the enemy. I can whip them on my own ground without any help, but I can not take prisoners. Why don't you come? — Huzza! huzza for Texas!

"MATTHEW CALDWELL, *Colonel commanding.*"

* Thomas William Ward's letter, September 28, 1842.

† Letter of Colonel John C. Hays, September, 1842.

Texans at a time when he was not much needed, and when he could have little hope of anything but disgrace in the abandonment of the lone-star banner. Cordova, who had figured so conspicuously about Nacogdoches in 1838, had little to lose except his life; and it is said he was killed at the Salado, on the 17th.*

The enemy hurried back to San Antonio, and sent off their baggage on the same night after the action. At daybreak on the 18th, their forces set out on the retreat, taking with them such of the Mexicans of Texas as adhered to them. The latter, in departing, made another forcible requisition upon the unhappy town for plunder, and carried off what they could. Colonel Caldwell, having his force now increased to four or five hundred men, went in pursuit of the Mexicans. Twice he came up with them, but feared to attack them, as he supposed they would be reinforced. This expected reinforcement was said to be a body of fifteen hundred men under General Ampudia, who had marched to Goliad. The supposition proved to be incorrect, but it saved the enemy from a handsome defeat. After a pursuit of some thirty or forty miles, the Texans returned.

At the first news of the advance of the Mexicans, the town of Austin was thrown into commotion, from an expectation that they would visit that place. This excitement was increased from the fact that, on the 4th of September, five men on Brushy road, two miles from Austin, were attacked by the Indians, and two of them killed. The records of the land-office were still there, and their safety jeoparded. Colonel Ward, the commissioner, closed the land-office by proclamation.† As the danger of having the records destroyed was imminent, the committee of the citizens who had controlled them since the invasion of the previous spring, felt the necessity of their removal, and proposed to the commissioner to take them to such point as *they* should deem safe from the encroachments of the enemy. A conference was held, and it was proposed that the commissioner should remove them to such point as *he* should deem proper, the wagons to continue hauling until they had transported such of the records as the *committee* thought valuable. This the commissioner declined, but proposed to remove them eastward as far as Brushy creek. This was conceded on the part of the committee, but the wagoners refused to remove them.* Thus they remained there, and, by the retreat of the enemy, were left unmolested.

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* It was said that Cordova was killed by Jett, at the beginning of the action. —*Letter of T. W. Ward, September* 28, 1842.

† Proclamation, September 28, 1842.

As a considerable number of troops were marching westward, a further and special order was issued to General Somervell on the 13th of October, directing him to select an eligible point for a rendezvous, and proceed to the organization and drill of all such volunteers as should report to him with a "firm resolve" to be obedient to orders, and, if required, to cross the Rio Grande. He was instructed to receive no others into the service. He was further directed to establish his camp at some distance from San Antonio, that the Mexicans might not be informed of his designs. "When the force shall have assembled," continued the order, "if their strength and condition will warrant a movement upon the enemy, it is desirable that it should be executed with promptness and efficiency."[*] From the time of the first assembling of the troops until their departure, there was much confusion, arising out of a want of provisions and ammunition, but, above all, from the insubordination and ambitious pretensions of various persons in the army, who, feeling themselves competent to assume the direction of the entire force, and march them to victory over the whole of Mexico, were surprised and indignant that the command was not conferred on them. The result was, that many of the volunteers returned home from Bexar. However, about the 18th of November, General Somervell set out from the Medina with some seven hundred and fifty men, and, after a rather unpleasant march, reached Laredo, on the Texan side of the Rio Grande, on the morning of the 8th of December.[†] About one hundred Mexican troops, who had evacuated the town on the approach of the Texans, retired across the river. General Somervell marched three or four miles down the left bank of the stream, where he encamped. The next day (the 9th) a portion of the troops visited Laredo and plundered it. This conduct was in direct violation of the orders of the executive and of General Somervell. So soon as the commander discovered what was transpiring, he gave orders to the sentinels on duty to arrest every straggler as he came within the lines of the encampment, that he might be conducted to the quarters of the guard and examined. The result was, that the spoils, consisting of a little of everything in the town, were thrown into a pile, and the *alcalde* sent for, and directed to return the articles to the owners.*

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* Letter of the Commissioner of the General Land-Office, September 28, 1842.

"Austin, *September* 23, 1842.

"*Thomas William Ward, Esq.*:—

"Sir: The committee of safety, having prepared wagons to take the archives of the government to a place which *they* deem safe from the encroachments of the enemy should it approach this city, are now ready to commence the removal of them to that place. "Your obedient servants,

"SAMUEL WHITING, *Chairman*,

"James Webb, "Joseph Lee, "Eugene C. Kelty,
"A. D. Coombs, "William L. Cazneau."

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[*] M. C. Hamilton, Secretary of War, to A. Somervell, October 18, 1842. General Alexander Somervell was a native of Maryland, and was about fifty years old at the time of this campaign. In 1817, he removed to Louisiana, where he established a farm. Failing in this business, he proceeded in 1824 to Missouri, where he followed the business of a merchant. In 1833, he was induced by the late James F. Perry to remove with his vocation to San Felipe, in Texas. When the Texan Revolution broke out, he took part in it, and, with the rank of major, participated in the operations and battles around San Antonio in 1835. Such was his popularity, that, in the reorganization of the army early in 1836, he was elected lieutenant-colonel. In this office he was among those distinguished at San Jacinto. He served in the Texan Congress as a senator in 1836–7; was in the Indian campaign of 1839, under Colonel J. C. Neill; and was afterward elected to the command of the first brigade of Texas militia. He was accidentally drowned in January, 1854. He was a man of fine social qualities, sincere attachments, and a welcome guest. — *Colonel John Henry Brown's Notes.*

[†] Letter of General Memucan Hunt, January 8, 1842.

On the 10th of December, it seems that, by consent of General Somervell, those of the troops that desired to do so were permitted to return to their homes. Some two hundred availed themselves of this permission, and returned, under the command of Colonel J. L. Bennett. The remainder of the army, moving down the river, arrived opposite Guerrero on the 14th. On that day and the next, the Texans crossed the stream, and encamped within a mile of the town, which submitted without a contest, and filled the requisition made upon it for supplies. On the 16th, General Somervell ordered the troops to recross the river, which was effected on that day and the succeeding. On their first passage they had crossed in canoes: their return was greatly facilitated by the use of four large flat-boats found in the Rio Salado, which empties into the Rio Grande near Guerrero. General Somervell had made a requisition upon the town for a hundred horses, but, as they were not supplied, he sent Major John C. Hays with seventy men to demand five thousand dollars in lieu of the horses. The *alcalde* came into the Texan camp with seven hundred dollars, declaring it was all that could be raised, and that the horses could not be procured, as they had been driven off by the *rancheros*, who had retreated from the town on the appearance of the Texans. An order had been published, assuring the troops that there should be an equal division of the spoils. "In some instances," says General Hunt,[*] "captains of companies would allow their men to detach themselves in small numbers, and acquire for their purposes any number of horses and mules they could find; other officers denied their men this privilege, saying that all property thus acquired should be procured by regular details of men, and equally divided between officers and men. But, when we commenced this second retreat, General Somervell failed altogether to conform to his pledge. Consequently, the captains who had been most particular in requiring and enforcing discipline and subordination from their men, in not allowing parties to leave camp, acquired no horses or mules to supply those of their companies whose horses were unfit for service. This produced great dissatisfaction, and increased the prejudice and contempt almost universally entertained and openly expressed by the officers and men toward General Somervell. In fact, I heard many of the officers and men declare their determination not to be commanded by, and conducted on their march home, by an officer incompetent as he had proved himself to be. Consequently, on the morning of the 19th, when General Somervell issued an order of march,[†] Cap-

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* Letter of General M. Hunt, January 8, 1842. Statement of William B. Middleton.

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[*] This quotation from General Hunt is made with the more confidence, because he was present, and reduced the facts to writing immediately on his return.

[†] The following is the order of the 19th of December 1842: —

"Order No. 64.

"HEADQUARTERS, CAMP OPPOSITE THE MOUTH OF THE SALADO,
"EAST BANK OF RIO GRANDE.

"The troops belonging to the Southwestern Army will march at ten o'clock this morning for the junction of the Rio Frio and the Nueces, thence to Gonzales, where they will be disbanded. By order of Brigadier-General Somervell, commanding the Southwestern Army.

"JOHN HEMPHILL, *Acting Adjutant-General.*"

General Somervell states as his reason for issuing the above order, that, "having been eleven days on the river, and knowing the various positions of the tains Fisher, Cameron, Eastland, Ryan, and Pierson, refused obedience, together with most of the men under their command, and a large number of officers and privates of other companies. The result was, another division of our forces, which were then reduced to about five hundred men. About two hundred officers and men accompanied General Somervell, and three hundred accompanied the five captains above mentioned. The five captains who separated from General Somervell declared their intention to proceed down the river far enough to procure horses to remount those of their commands who were on foot, or whose horses were unable to carry them, and a necessary supply of food to take them into the settlements, when they would return home."

Before the two parties finally separated, it was proposed to depose General Somervell, and elect another commander, but the proposition was not acceded to. Somervell then set out on his return, marching slowly the first two or three days, to enable his men to get a supply of beef. The march was then more rapid; and the troops finally reached Bexar during the last days of January, 1843, having suffered much for want of provisions and winter clothing.

The companies who had separated themselves from Somervell marched four miles down the Rio Grande on the 19th of December, where they encamped for the night. The next morning they elected Captain William S. Fisher to the command, and resumed their march down the river. Four or five flat-boats were used in the descent, to transport baggage, provisions, and a portion of the troops. On the 21st, they arrived and encamped opposite the town of Mier, which is situated

enemy's troops, I was satisfied that they were concentrating in such numbers as to render a longer stay an act of imprudence."—*Report to the Secretary of War (without date).*

about six miles distant from the right bank of the Rio Grande. On the following day they crossed the river and marched into the town, where they made a requisition upon the *alcalde* for provisions and clothing.* He promised that the articles called for should be delivered the next day at the river, but below the Texan camp. The troops then returned to their camp on the east side of the river, bringing the *alcalde* with them as a surety for the performance of his promise. On the morning of the 23d, the Texan camp was moved down opposite to the point where the articles were to be delivered.† That day and the next passed away, however, but still the requisition was not filled. The Texan spies, who had been kept on the west side of the river, on the morning of the 25th captured a Mexican, who reported that General Ampudia had arrived at Mier with troops, and prevented the fulfilment of the *alcalde's* promise. The Texans determined to pass the river and give them battle. By four o'clock in the evening they had all crossed over, and were on their march to the town. Captain Baker with the spies, being in the advance, first met the enemy, who had sallied out from Mier. On the approach of the Texans, Ampudia retreated to the town. At dark, the invaders found themselves on an eminence to the eastward of the town, with the Alcantra (a small, rapid stream) between them and the enemy. The latter had succeeded in capturing five Texans, from whom they derived such information as the prisoners chose to give them.

After some difficulty in finding a crossing, the Texans at length passed the Alcantra in the dark (a constant fire being kept up between Baker's spies and the Mexican cavalry), and stumbled upon a small picket of the enemy. Giving them a fire, the assailants advanced to a street leading directly to the square, the entrance of which was protected by artillery. The Texans would take their position in the street, fire upon the artillery, and then turn the corner to reload, while the enemy's grape-shot passed harmlessly by. Thus the night wore on, a light rain falling during the action. The Texans, in order to protect themselves from the weather, and get nearer the square, commenced opening passages through the stone houses, until they got within fifty yards of the artillery. Opening portholes, they now poured a destructive fire upon the Mexicans. When daylight appeared so that they could see the artillerymen, they silenced the enemy's pieces with their unerring rifles. The Mexicans then occupied the housetops, and the fight continued till noon on the 26th. About this time, the small Texan guard that had been left the previous night on the east side of the Alcantra, attacked about sixty of the enemy's cavalry, and routed them. A large body of Mexicans then advanced to overwhelm this guard. The latter resolved to break through their ranks, and, if possible, join their comrades in the town. They made the attempt, fired with good effect, and started for the Alcantra. The distance was three hundred yards. It was a fearful feat, and in its accomplishment four were killed, three were made prisoners, and two only succeeded.

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* Statement of Messrs. Watson and Hensley.

† "Mier Expedition," p. 78.

Shortly after this, Colonel Fisher, in repelling a charge of the enemy, received a wound, which, though not very severe, was sufficiently so to produce vomiting. During the confusion caused by this event, the Mexicans sent in a white flag by Dr. Sinnickson, one of the Texan prisoners they had taken, with a proposition from General Ampudia for the Texans to surrender, declaring that they should be treated with all the consideration due to prisoners-of-war; that they should not be sent to Mexico, but kept upon the frontier until peace was made, or an exchange effected;[*] and that, if these terms were not accepted, they should be allowed no quarter. The Texans, having a considerable list of wounded, and their commander believing that they could not reach their position east of the Rio Grande without a loss of two thirds of their number, surrendered upon the terms proposed. But the articles of capitulation, not being drawn up until after the surrender, were altered to suit the views of the victors.[†] The enemy had engaged in this contest over two thousand men; the Texans two hundred and sixty-one![‡] The loss of the latter was sixteen killed and mortally wounded, and twenty or thirty more or less seriously wounded. The Mexican loss was not ascertained, but was doubtless four or five hundred.

On the last day of December, General Ampudia set out with the prisoners for Mexico, leaving those of them that were wounded at Mier, in charge of Dr. Sinnickson. On the 9th of January, 1843, the captives reached Matamoras, where they remained until the 14th, when they again set out, guarded by a troop of cavalry under the command of Colonel Savriego. They arrived at Monterey on the 29th, where they remained till the 2d of February, and, having changed their commander, they proceeded to Saltillo, where they found a half-dozen of the Texans who had been taken by Woll on his recent visit to San Antonio. At Saltillo, Colonel Barragan took charge of the prisoners, and proceeded with them to the *Hacienda Salado*, a hundred miles farther on, where they arrived on the

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[*] This is the way Green states it ("Mier Expedition," p. 96), but Dr. Sinnickson, who carried the message, and whose statement Green has furnished (Ib., p. 474, Appendix IV.), says that Ampudia promised "to use his influence with the supreme government to prevent their being marched to the city of Mexico, but to have them retained east of the mountains," &c.

[†] Mier Expedition, p. 82, *et seq.*

[‡] The Texans had left a guard of forty-two men on the east side of the Rio Grande, who, after the battle, returned home.

10th. The captives had for some time determined to overcome the guard, and attempt their escape out of the country.

Just at sunrise on the 11th of February, when the word was given by Captain Cameron, he seized and disarmed one of the sentinels at the door of the prison, and Samuel H. Walker (afterward so distinguished in the Mexican war) disarmed the other. The prisoners rushed out into the outer court of the building, where were one hundred and fifty infantry guarding the arms and cartridge-boxes.* Some of these fled, and the others surrendered, while the Texans were arming themselves, and securing ammunition. There was another company stationed at the gate of the outer court; the cavalry had likewise formed. The Texans, being armed, rushed out at this gate, and forced the cavalry to retreat; the infantry stationed there also surrendered. The conflict was soon over, and the victory won: the Texans had five killed and several wounded; the loss of the enemy was considerably more. One of the articles of the capitulation provided that the wounded of the Texans, who were to be left behind, should be cared for.

At ten o'clock in the forenoon, the Texans set out for home. After a march of fifty-three miles, they halted at midnight and fed their horses. They then proceeded twelve miles farther, and slept two hours. The next morning early, leaving the Saltillo road, they continued the march, proposing to leave that city on their right. On the 13th, they struck the road leading from Saltillo to Monclova; but the ensuing night they unfortunately abandoned it, and took to the mountains on the left. The 14th, 15th, 16th, 17th, and 18th were spent in trying to make their way through those barren mountains, during which time they suffered intolerably for want of food and water. They killed and ate their horses, and many of them, becoming exhausted and deranged through hunger and thirst, wandered off, or fell down among the ravines. At one o'clock in the afternoon they discovered a smoke, but, on approaching it, they found a troop of Mexican cavalry. Many of the fugitives had thrown away their arms, and the remainder were too much worn down and dispirited to make a defence. They accordingly surrendered, but on the positive promise that they were to be treated as prisoners-of-war. Here they were tied in pairs, and remained till the 22d to recruit. The Mexicans brought in such of the prisoners as they could find scattered in the mountains; but, of the one hundred and ninety-three who left the Salado on the morning of the 11th, five died of starvation in the mountains, four more effected their escape and returned to Texas, and three others were never heard of, but were supposed to have died in that barren waste.

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* Mier Expedition, p. 154.

On the 22d, the prisoners were marched back, stragglers being constantly found and brought up to the main body. On the 27th, the number being increased to one hundred and sixty, they were all ironed. On the 24th of March, they reached the Salado, the scene of their late victory, where they received news of the order of Santa Anna that every tenth man should be shot. They were all securely bound in irons, and well guarded. They were then drawn up to a wall, behind which the officer stood with the fatal pitcher containing one hundred and fifty-nine white beans and seventeen black ones. The pitcher was held up so that those drawing could not look into it. As their names were called, they advanced and drew each one a bean. This solemn business was performed by the prisoners without a change of countenance, but with that self-respect which they felt they should display. The irons were taken off from the unfortunate, and that evening (the 25th of March) they were led to the place of execution, bound together with cords, and their eyes bandaged. They asked the privilege of being shot in front, but it was refused. They were made to sit down upon a log near the wall, with their backs to their executioners, where, just before dark, they were repeatedly shot till life was extinct.* Thus, for this courageous and praiseworthy attempt to escape from a captivity so cruel, were these men barbarously put to death.

The survivors were marched thence to the city of Mexico. Arriving at Huehuetoca, within eighteen miles of the capital, they were met by an order from Santa Anna directing Captain Ewing Cameron to be shot. The command was promptly executed the next morning; and Cameron, in dying, left to the world an example of heroic fortitude in the manner in which he met his fate.† He had passed the ordeal on the 25th of March, and drew a white bean. After thus trifling with his life, it seemed to be a refinement of cruelty to order his execution, almost within sight of the capital of a nation that would at least wish the world to believe it civilized! The warrant for his death was procured through the influence of Canales. When the federal army was encamped on the Nueces, previous to the campaign of 1840, Cameron lost his horse, but afterward found him in the possession of a Mexican. The former seized his property, and the Mexican resisted, calling upon his countrymen to assist him. Canales, hearing the altercation, ordered Cameron to deliver up the horse, which he refused to do, and, drawing his pistol, declared in broad Scotch that he would shoot the first man who laid hands on his property. Shortly afterward, Canales had him tried by a court-martial (of which Captain Thomas Pratt was judge-advocate), for disobedience of orders. The court, looking upon the affair as an attempt of Canales and the Mexican to rob the prisoner, acquitted him. From that moment the vengeance of Canales pursued him; and in 1843, when the one had got into favor with Santa Anna, and the other was a captive in chains, the order for his execution was solicited and obtained.*

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* List of those who drew the black bean, and were shot, at the *Hacienda Salado*, on the 25th of March, 1843:—

L. L. Cash,
James D. Cocke,
Robert Dunham,
William M. Eastland,
Edward Esté,
Robert Harris,
Thomas L. Jones,
Patrick Mahan,
James Ogden,
Charles Roberts,
William Rowan,
J. L. Sheppard,
J. M. N. Thompson,
James N. Torrey,
James Turnbull,
Henry Whaling,
M. C. Wing.

Mier Expedition, p. 444.

† Ib., p. 284.

The remainder of the prisoners were conducted to the city of Mexico, where, in heavy irons, and subjected to the most servile labors, we will for the present leave them; promising, however, to render an account of their escape from the dungeons of the capital.

The result of the expeditions to Santa Fé and Mier was a practical proof of the general principle that Texas was not prepared for an offensive war against Mexico. The last-named expedition proved also that the Texans, though never wanting in prowess, were not in 1842 under the same discipline, and as obedient to orders, as the men of 1836. General Somervell's instructions were to receive none under his command but such as promised obedience to his orders. These instructions were made known to the volunteers, and they gave the promise. It was left to his discretion to cross the Rio Grande or not. For reasons given in his report, he issued the order of the 19th of December for the troops to march to Gonzales, to be disbanded. Whether he was right or wrong in giving this order, he was in command. It was disobeyed; and the consequence was, a fearful sacrifice of many noble men, and a long and gloomy captivity of others.

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* Captain Pratt's Journal, MS.

CHAPTER XIII.

THE Congress at the called session had changed the time of its regular sessions to the first Monday in December;* but circumstances, in the opinion of the president, required its earlier convention. It was accordingly summoned to meet at Washington, on the 14th of November, 1842. The executive and heads of the departments had removed to that place on the 20th of the preceding September.† President Houston, in his message, presented the public affairs as in a gloomy condition—the country without credit, without means, and millions of dollars in debt. In regard to the late troubles on the frontier, he complained of a want of concert of action, and a disposition to proceed without means or orders. As to the currency, the exchequer bills had at one period fallen to twenty-five cents in the dollar, although at the time not more than one hundred and twenty-five thousand dollars were in circulation. The amount in circulation at the date of the message did not exceed thirty thousand dollars; yet, for want of a revenue to support these bills, they were under par. As an important remedy for these evils, he recommended the collection of revenue, the suppression of individual and corporation notes issued for circulation, as also the notes of foreign banks. He further recommended some provision for carrying the mails. He likewise gave an account of the trouble in regard to the archives, and the resistance opposed to their removal; and also in regard to the steps that had been taken to conciliate the Indian tribes.* A favorable commercial treaty, which had been made on the 30th of July, 1842, between the United States and Texas, was presented to the senate.† The alliance with Yucatan was discouraged, and an opinion expressed that the revolted province would reunite with Mexico.‡

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* Act of July 23, 1842.

† Executive Record, p. 143.

On the subject of the navy, in connection with the Yucatan alliance, the president, on the 22d of December, sent a secret message to Congress. He had not referred to it in his annual message, not wishing the world to know the deplorable condition of that arm of the public service. The vessels of the navy had returned from Yucatan early in May, 1842, and were ordered to repair to New Orleans and Mobile to refit, preparatory to the enforcement of the blockade of the ports of Mexico. This blockade had been proclaimed by Texas in the confident belief, as expressed by Commodore Moore, that, with the aid of the friends of the republic in the United States, the squadron would be ready for sea in a few weeks. But, up to July, it was not ready. In that month, application was made for the balance of the naval appropriation, amounting to nearly nineteen thousand dollars, Texas currency; and it was advanced, upon the representation that by its use four vessels could be got to sea. This also failed, and the navy was ordered to report at Galveston for further instructions.‖ This order to repair to Galveston was repeated two or three times, and, being disobeyed, Captain Moore was ordered, on the very day the secret message was sent to Congress, to turn over the command to the senior officer present, and report in person to the department of war and marine. The blockade not being enforced by Texas, other nations complained of its existence, and asked that it be discontinued. The *San Antonio* had been despatched to Yucatan in August, 1842, without the knowledge of the Texan government, and was lost in a storm. The estimates made for the support of the navy for the current year amounted to over two hundred thousand dollars, which Texas could not meet. Under all these circumstances, the president recommended the sale of the vessels. A large portion of the public debt had been incurred in their purchase; they were still unpaid for; and he believed that the person from whom they had been purchased could be induced to take them again.

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* Message, December 1, 1842.

† Ib., December 19, 1842.

‡ Ib., December 14, 1842.

‖ Order of October 29, 1842. This order was repeated on the 5th and again on the 16th of November, 1842. Not being obeyed, Captain Moore was, on the 2d of December, commanded to repair to Washington, on the Brazos, and report in person to the department of war and marine. This last order was repeated on the 2d of January, 1843; and, not being obeyed, he was, on the 22d of that month, peremptorily ordered to turn over the command to the senior officer in

In accordance with this representation, the Texan Congress passed a secret act, authorizing the president to sell the war-vessels;* and, in compliance with this act, he appointed commissioners to dispose of them. They repaired to New Orleans, and made known their business to Captain Moore. It appears, from an unofficial letter of one of the commissioners, dated the 10th of March, 1843, that Captain Moore had large claims against the navy for moneys expended for its use, and that he was inclined to hold on to the vessels; that he was not bound to obey any orders from the navy department emanating from

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the navy, and report to the department in person. On the 10th of March, 1843, Captain Moore replied that "it is, of course, unnecessary for me to proceed to the seat of government;" and "I expect to get to sea in a few days, and keep at sea until the determination of our difficulties with Mexico, without any expense to the government of Texas."—*G. W. Hill, Secretary of War and Marine, to Captain Moore, July* 19, 1843.

* Act of January 16, 1843: not published in the laws. This secret act was repealed by the act of February 5, 1844.

a law not promulgated; and that the secretary of war and marine was bound to send him a certified copy of that secret act before he was under obligations to comply with it. It further appears that Colonel Zavala, of Yucatan, was at New Orleans, urging Captain Moore to sail down the gulf-coast and capture the Mexican fleet. The latter declared that he would take it, blockade the whole coast, and levy contributions to the amount of eight hundred thousand dollars, half of which he would deposite in the treasury of Texas.*

Under these circumstances, the president, having before him the act for the sale of the vessels, and his orders being disobeyed, issued further and peremptory instructions to the commissioners, dated March 22, 1843, requiring them to proceed to New Orleans and get the vessels into their possession, if practicable, and hold them subject to the orders of the government; and, should resistance be made, they were instructed to call upon the proper authorities of the United States for aid. The instructions, referring to the previous orders issued to Captain Moore, declared that he had no authority to enter into any arrangement with Yucatan, or to do anything but to sail to the port of Galveston, and report in person to the department, as he had been ordered to do. The commissioners were further instructed, should Captain Moore fail to render obedience to former orders, to publish a proclamation which the president sent them. This proclamation, referring to former orders, and the fact that they were disobeyed, gave notice of Captain Moore's suspension from his command, required him to return home and report, disavowed all his acts, and requested all nations in amity with Texas to seize and bring in the vessels to the port of Galveston.

The commissioners, on arriving at New Orleans, presented their authority, and placed the proclamation in the hands of Captain Moore. It seems that the latter acknowledged the authority of the commissioners, and promptly consented to sail for Galveston. Accordingly, they departed; Colonel Morgan, one of the commissioners, being on board. Arriving at the mouth of the Mississippi, they learned that the Mexican war-steamship *Montezuma* was at Telchak, distant from the other vessels of the Mexican navy, and that it could probably be taken. They sailed to that point, but arrived at Telchak after the steamship had left. Captain Moore then proceeded down the coast with the *Austin* and *Wharton*, and had two important engagements with the vessels of the enemy, in which the Texans fought gallantly, and gained some advantages.

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* Letter of Colonel James Morgan, March 10, 1843.

In the meantime, the president, finding that his commissioners as well as Captain Moore had disobeyed his orders, and that one of them had actually gone out with the navy, and was advising and directing its operations—and that new arrangements had been entered into with Yucatan, without his orders—and also ascertaining that his proclamation had been disregarded, and not published—took immediate steps to publish it himself. It reached the public eye, and in due time the coast of Yucatan, and brought the wandering commissioner and captain in command of the navy to the part of Galveston, where they arrived in July.

It seems, from the newspapers of that day, that this cruise had been got up in New Orleans; and that the management of the navy had effectually been taken out of the hands of the Texan government, and was controlled by others. The New Orleans papers, ignorant of the existence of the secret act of Congress, denounced President Houston in such terms as would have satisfied the world that the navy was under their control, and subject to their orders, and that the government of Texas had nothing to do with it but to pay for the vessels.* The position of the Texan post-captain at New Orleans, according to his own showing, seems to have been this: if he attempted to obey the first orders given him, he could not obtain the means to take the vessels to Galveston; but, to go on a cruise to the coast of Mexico, the government of Yucatan and certain friends in New Orleans would furnish the means. Of course, Yucatan and the New Orleans friends would expect to be benefited thereby. How? In the prizes taken; for there was no other means of remuneration.

After the return of the vessels of the navy to Galveston, they were placed in ordinary, and, for want of funds to equip and man them, they so remained.

The seventh Congress, which adjourned its regular session on the 16th of January, 1843, passed but few laws of a general character. The policy of treating with the Indians had so far proved successful, that but ten thousand dollars were appropriated for intercourse with them;† and provision was made for trading-houses, interpreters, the restoration of stolen property, and for prohibiting the sale of ardent spirits among them.‡ It was also declared murder for a white man to kill an Indian in time of peace within the settlements. Another law was passed for the better collection of license-taxes, which was important, as under former laws but few paid such taxes, and they were greatly needed. The most important act of the session was one for the protection of the western frontier. It provided for the election of a major-general, and required him to call into immediate service on the western frontier six companies. It further provided that, "should the major-general of the militia deem it expedient, he may at any time take the field, and command in his official capacity any number of troops." Fifty thousand dollars were appropriated to this service. The president disapproved of this bill, because it created a military government, and, though the constitution made the executive commander-in-chief of the army and navy, yet by this law the major-general was rendered independent of the government. The two houses, however, passed the bill by a two-thirds majority; but they elected Thomas J. Rusk to the high office so created, by whom the laws were respected.*

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* Exposé of Colonel James Morgan, July 16, 1843. Letter to the People of Texas, by Edwin Ward Moore.—*Telegraph, July* 16, 1843.

† Act of January 6, 1843.

‡ Act of January 16 1843.

As the year 1843 witnessed the first diplomatic movement, in which Mexico was a party, for a termination of the war, it will be necessary to give some account of its rise and progress. It seems to have had its origin in the castle of Peroté, in the brain of J. W. Robinson—commonly called "*Lawyer* Robinson"—one of the prisoners captured and taken to Mexico by General Woll, in September, 1842. Robinson, taking lessons from his illustrious correspondent General Santa Anna, who, when a prisoner, was willing to treat on any terms, addressed a letter to the Mexican president on the 9th of January, 1843. In this communication he set forth that he was an old Texan—a colonist—and had never been wanting in loyalty to Mexico; that when Woll entered San Antonio, although he thought his band was a pillaging-party, he did not make use of his arms, but laid them down as soon as he knew they were the troops of Santa Anna—an error which made him appear a rebel.† The writer then proceeded to give in his adhesion to Mexico, and thought himself capable (as he was a lawyer) of communicating to Santa Anna some rare information; that on his way through the Mexican republic, he had been thinking of a plan, the details of which could better be given in a personal interview; and that the Texans, after seven and a half years of war, were anxious for peace, and would gladly accept it on terms having for their basis the reunion of the republic with that of Mexico. Robinson, wishing to get some others of his fellow-prisoners released, said a portion of them were of the same opinion with himself, and that, if they could be charged with a mission to Texas, they would exert a powerful influence in reuniting her with the Mexican confederacy. He suggested to Santa Anna that peace could not be made without an armistice; the people would then be committed to a discussion of the subject.* He then proceeded to set forth generally the terms on which a reunion might take place; and proposed that Santa Anna would name commissioners, and unite with them one or two of the prisoners who were of the writer's opinion, that they might proceed immediately to Texas to enter upon their duties. Robinson closed his letter in diplomatic style, by "taking advantage of the occasion to tender to his excellency his high consideration and respect."

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* Act passed by a constitutional majority, January 16, 1843.

† Robinson committed another *error*, of which he did not inform Santa Anna: he was at the battle of San Jacinto!

Santa Anna, then at *Manga de Clavo*, transmitted the letter to Tornel, the minister of war and marine, suggesting that Robinson's object might simply be to obtain his liberty; "but if it should not be so," said he, "and he should act in good faith, nothing can be lost on hearing him, and some favorable result may be obtained." He requested Tornel to lay the letter before the "substitute president," and, if that functionary should think proper, he (Santa Anna) would hear what Robinson had to say, it being understood that he would make no concessions to the latter that would compromit the nation; and, lest the opportunity might slip, the dictator was in as great a hurry about the matter as Robinson.* The government gave to Santa Anna a speedy and full power to arrange the negotiation with Robinson as he might think proper.†

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* This letter, which was by Santa Anna published in the "*Siglo Diez Neuve*" of the city of Mexico, was wretchedly mutilated. The conditions of the reunion are wholly omitted.

Santa Anna immediately sent for Robinson, who came to *Manga de Clavo*, and, after long conferences, the latter satisfied him that he would make a good commissioner. "He was immediately set at liberty, that he might, without loss of time, proceed in the fulfilment of his offices."‡ At the same time, the bases of the reincorporation of Texas with Mexico were drawn up, signed by Santa Anna,‖ ratified by the "substitute president,"§ and delivered over to the envoy Robinson, who set out for Texas.

Robinson, having reached Washington, on the Brasos, laid before the president of Texas all that had transpired between him and Santa Anna. Houston saw at once, in these proceedings, a probable mode of releasing the Texan prisoners in Mexico, and likewise a foundation for a peace. It is a principle of human nature that, when those who are hostile, stop to reason upon their differences, the feeling of hostility declines as the discussion progresses; and especially was it applicable to Mexico and Texas, who were both exhausted by a long war. It would have been a poor compliment to Houston to believe for a moment that Santa Anna could obtain the advantage of him in diplomacy. His acquaintance with human nature, and particularly with the Mexican dictator, was admitted to be profound. In this discussion he had every superiority. Robinson was the emissary of the enemy, but in favor of Texas. The correspondence was between Santa Anna and Robinson, and Houston had the control of it. The latter therefore dictated to Robinson the following confidential letter to Santa Anna, dated the 10th of April, 1843:—

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* Santa Anna to Tornel, February 6, 1843.

† Tornel to Santa Anna, February 11, 1843.

‡ Santa Anna to Tornel, February 18, 1843.

‖ Santa Anna's propositions, February 18, 1843.

§ Tornel to Santa Anna, February 23, 1843.

"When I arrived at Galveston, it was soon understood that I had important news from you to the people of Texas, and there was a great stir to see what it was. Knowing it would meet your views, I published the substance of the propositions in the newspapers, accompanied by remarks of my own, recommending them to the favorable consideration of the people of Texas. When I did this, I thought it would have a great effect at once; but it did not produce as much excitement as I expected.

"From Galveston I proceeded to Houston, and remained there some days, with the expectation that I would see some clear manifestation of the feelings of the people on the subject of the propositions. I have the honor to enclose your excellency the 'Houston Telegraph' of the 5th of April, in which you will see, among other items, the publication which I made over my signature, and that I presented the propositions to the people in the most favorable light. I have also the honor of enclosing your excellency a newspaper published at Washington, by which you will perceive that I arrived there on the 6th instant, and laid your communication before General Houston. The paper contains various items of interesting news, which I have marked for your excellency's attention.

"On my way to Washington from Houston, I passed through the most thickly-settled and wealthy sections of the Brasos. The news of my arrival had spread with great rapidity, and, of course, there was much anxiety among the people. The first question usually asked me was, 'Are all the prisoners released?' On answering in the negative, they asked me if I thought they would be released. I expressed the belief that your excellency would release them, if you had not already done so. The next inquiry was, whether I had not brought terms proposing peace. To which I said, 'I think so.' They then asked me if your excellency had proclaimed an armistice between Mexico and Texas. I told them you had not; but that I looked upon it as in effect so, until the wishes of the people could be known upon the subject of your propositions. I found the people much engaged in the cultivation of their farms, except those who are very anxious for an invasion of Mexico; and many who are in favor of an invasion are improving their farms and planting their crops, so as to be ready for any action the government of this country might think it necessary for this country to take.

"When I laid your communication before General Houston, he read it, and asked me if I thought the translation correct. On my replying that I did, he evinced no excitement, but observed that, since the commencement of the Revolution in 1835, the affairs of Texas and Mexico had become much more complicated than they had once been; that, since that time, Texas had been recognised by foreign powers as independent of all governments, and had formed treaties; and that, for Texas to act independently of the consideration of those powers, would, in his opinion, be treating them with disrespect. I endeavored to find out from him what course would be adopted in reference to your excellency's propositions, but I could not ascertain what his purposes were—if he had any.

"I find that your excellency and myself were mistaken when we suspected that Texas was torn to pieces by factions. It is not so. The price of produce this year has been low; money is scarce in the country, and there is some discontent; but that discontent, I am assured, does not arise from the acts of the government. There are some factious men in Texas, and they have some papers at their command. These papers, however, are supported by the contributions of the faction, or party, that wishes to annoy the executive. They are not encouraged by popular sentiment, but are used to create one, if possible, against the government. It will be impossible for them to succeed. The whole number of men, of any prominence of character, engaged in this opposition, would not exceed some thirty or thirty-five in the republic.

"I would most respectfully beg leave to submit to your excellency, in gratitude for your kindness to me, a few suggestions, which your excellency can take into your distinguished consideration.

"The first is, that if your excellency had thought proper to have released all the Texan prisoners and let them return to their homes, and declared an armistice for some months, until the people in Texas could have had time to think of your propositions, if the president had submitted them to their consideration and action, it would have had a good effect upon the people. They would then have been freed from passion and excitement; but when almost every neighborhood has an acquaintance or friend a prisoner, the people can not act on these subjects without much feeling; and there are many persons here ready to excite them in favor of a war beyond the Rio Grande.

"The last Congress passed a law favorable to what war-spirit there is in Texas; and the president has authority to accept the services of forty thousand volunteers, which he would be authorized to land at any point of the coast of Texas, entirely beyond its settlements, and on the borders of the Rio Grande.

"You will see, from the papers, that General Rusk was raising a very large expedition, to march across the Rio Grande; but it is possible it may be delayed a while, although the preparations will go on.

"If I were to judge from what I have heard since my return, and what I knew before I was taken prisoner at Bexar, I would think that Houston would prefer peace, if it could be had on terms he thought perfectly honorable to Texas. He has always been opposed to an irregular warfare between the two countries; but he has now succeeded in making peace with the Indians, and, as that will relieve the northwestern frontier of much embarrassment, it is possible he may unite all the influence he may have with those in favor of prosecuting the invasion of Mexico. If this should be the case, and Texas applies all its energies to war, I think she would be easily able to raise from her own citizens an army of ten thousand men, besides volunteer immigrants, as they are called; and that they would take care to land within one or two days' march of the Mexican frontier. I will not be so presumptuous as to advise your excellency about anything; but, as things have changed since I communicated with your excellency in relation to the affairs of Texas, I feel bound to inform you of such facts as result from my observations.

"If your excellency should wish to send me any instructions, or make any further communication, you can have it directed to the care of Major James H. Cocke, customhouse, Galveston, who will forward it to me wherever I may be. I will endeavor so to manage as to get my despatches to your excellency through some safe channel. Your excellency will be aware of the discretion with which I will have to act, from the character of the communication I have made in the papers."*

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* Extract of a letter from General Houston to Joseph Eve, United States *chargé d'affaires* to Texas, dated April 22, 1843: "Touching the communication of Santa

The perusal of this first and last despatch of his excellency the Mexican president's minister shows that two points are recommended—the armistice, and the release of the prisoners. On those points the document is very clear. On the subject of an invasion of Mexico by Texas, the matter is left in a very threatening aspect. As to everything else, Santa Anna is left in a very thick fog. This letter reached him in due time, and offered much food for reflection. Previous to this correspondence, however, the Texan government had applied to the three powers—France, Great Britain, and the United States—asking them to make a joint offer of mediation between Texas and Mexico. France and the United States would doubtless have been willing to do this; but Great Britain, never sincerely interested in the success of Texas, further than it appertained to her own interests, had a desire to exclude slavery from the new republic. She supposed that, by mediating separately, obtaining an influence in the Texan government, and throwing into its territory a large emigration of her own people, she could procure the recognition of Texan independence by Mexico, on condition of the abolition of slavery. This she imagined Mexico would the more readily do, because the latter power, as well as herself, was anxious to offer every barrier to the growth and advancement of the United States. In fact, the

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Anna, I have this to remark—that it is an anomaly, in both statesmanship and diplomacy. From it I deduce the fact that some of the powers have touched him in a tender part, and this I regard as a wincing. I take pleasure in enclosing you a copy of the translation of his propositions, from which you will perceive (for I am told it is pretty correct) that General Santa Anna could not have expected any direct action by this government. His not addressing it to any authority in the country, as you say, manifests its absurdity. It is impossible for a community to speak, unless through some organ, and in his communication he recognises none. If he expects to make capital out of it, he certainly will not find it in Texas; for his *sine qua non* would place Texas, bound hand and foot, at the mercy of his will. Take it all in all, it is a curious piece of workmanship, and will do very well to file away as a curiosity for after-times; and that is about as much as can well be made of it."

influence of the British government over that of Mexico was such, that when it chose to exert that influence, it could have had the independence of Texas acknowledged at any time—and we will shortly see evidence of this fact. Therefore, upon the proposition of Texas for a triple mediation, Lord Aberdeen said that "it would be better, on all accounts, that each party should act separately, but similarly in tone, in point of time and argument, in urging the Mexican government to reconsider the subject dispassionately and impartially, and to lose no time in coming to an accommodation with Texas, on the basis of a recognition of the independence of that country."* In this view the other powers concurred. Lord Aberdeen then made out his instructions to the British minister at Mexico, and sent a copy of them to Lord Cowley, embassador at Paris, to be shown to the French government. M. Guizot copied them, and transmitted them to the French minister at Mexico. On the part of the United States, Mr. Webster instructed the American minister at Mexico to remonstrate in strong but kind and friendly language with the Mexican government against the marauding mode of warfare carried on against Texas; that if the war was continued, it must be conducted openly, honorably, and according to the rules recognised by all civilized and Christian states in modern times. Mr. Webster said further that the United States owed the duty of seeing this done—they owed it to the parties themselves, to the interest and character of this continent, and to the cause of civilization and human improvement; and it was a duty they would discharge with impartiality and firmness.† The American secretary further stated that, unless Mexico, in a short time, made peace with Texas, or showed a disposition and an ability to prosecute the war with a respectable force, the United States government had it in contemplation, at no distant period, to remonstrate in a more formal manner.

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* Aberdeen to Elliot, November 3, 1842.

† The French *chargé d'affaires*, De Cramayel, places the separate mediation upon the ground of the absence of good feelings between the United States and Mexico: "Le gouvernement de S. M. B., se fondant d'une part sur le non succès des dèsmarches déja faites par lui dans ce même but, et, d'une autre part, sur

But all these promising hopes were dimmed by the news from Texas. The effect, among those powers friendly to that country, and who were able to aid her, was most blighting. The Mier expedition, the movements of the navy, the resistance to the collection of duties on Red river, and the denunciatory meetings held, which were encouraged by the press, all combined to injure the character of the republic. Let us refer to the facts. It will be remembered that Mr. Reilly, on the part of Texas, concluded an admirable commercial treaty with the United States, which was duly ratified by the government of the former. It was, however, in the most important particulars, rejected by the United States senate. A committee had reported favorably on the treaty, and, had the vote then been taken, all would have been well; "but," says the Texan *chargé d'affaires* at Washington,[*] "the day after the report was made, the news of our internal commotions, our dissensions and civil discords, coupled with our disasters, reached here, in all their glowing and exaggerated enormities, and, like a withering sirocco, blasted every effort of our friends, and paralyzed every movement in behalf of our treaty. . . . . 'Texas is rent and torn,' said the senators in discussing the treaty, 'by her own internal discords; she is without a dollar in her treasury; her numbers are small; her laws are set at defiance by her citizens;

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l'inconvénient qu'il pouvait y avoir d'associer les Etats Unis à la médiation, dans un moment on leur relations avec le Mexique paraissaient sur un pied peu amical, n'a pas cru devoir accéder à cette demande."—*De Cramayel to Anson Jones, January* 28, 1843.

[*] Letter of Isaac Van Zandt, March 4, 1843.

her officers, both civil and military, can not have their orders executed or obeyed; Mexico is now threatening to invade her with a large land and naval force; she can not long stand under such circumstances; the chances are against her. She will either have to submit to Mexico, or come under some other power. If, then, we should extend to her these privileges by treaty, might not such power to whom she became attached claim like privileges?'" These arguments induced the rejection of all that was valuable to Texas in the treaty. The baneful influence of this news extended also to England and France.

In regard to the Mier expedition, the fact that the party of Texans had crossed the Rio Grande in the face of General Somervell's order to march home, had been published to the world before that officer's return. The United States and Great Britain both complained of it, as being the same character of warfare for which they had reprehended Mexico. "I am instructed," says Mr. Eve, the American *chargé d'affaires*, "to remonstrate in strong language against Texas carrying on the war for retaliation, or otherwise, by marauding parties; but that, if she makes war, let it be open, manly, and according to the strict rules of modern warfare. Texas owes this to herself, and to the character of the Anglo-Saxon race."*—"If, sir," said Mr. Webster to Mr. Van Zandt, "you can get your people to unite at home, and lay aside that factious spirit which is lately so often shown, we would secure you peace in less than six months."†

As it was useless to deny the facts, for they had gone forth over the world, and as Texas could not lose her great friends, and ought not to lose them, she undertook to make apologies

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* Letter of Joseph Eve, April 11, 1843.

† Letter of Isaac Van Zandt, March 4, 1843.

Besides, she needed their friendly aid in getting her citizens, who were imprisoned in Mexico, restored to their liberties and homes. In an interview between Mr. Webster and Mr. Van Zandt, in March, 1843, the American secretary informed the latter that "the late movements of the forces of Texas, having exhibited an apparent inconsistency with the principles which the government of Texas had avowed should govern its action, and partaking of that character of warfare against which it had protested, and which the interposition of the United States had been invoked to arrest; that therefore his government would necessarily be constrained to suspend the measures which it had designed to take, and which it would have deemed proper to adopt toward the contending parties."*

In answer to this, Mr. Van Zandt, being furnished with a copy of the orders issued to General Somervell, alleged that the government of Texas had not departed from the rule laid down. In reference to those of the troops that disobeyed the order to return home, Mr. Van Zandt said that, "as citizens, they were liable to strong excitements; and, driven to desire vengeance and retaliation upon an enemy with whom that country is at war, and from whose soldiery the most wanton, flagrant, and cruel injuries have been long received and endured, and whose inhuman acts have been sanctioned by the government of Mexico, it is but natural to suppose that some irregularities will occur, and that attempts will be made at retaliation by individuals suffering from the consequences of such wrongs and injuries. These acts of individuals, though in a great degree excusable under such peculiar circumstances, should not be imputed to their government."†

In the same despatch, Mr. Van Zandt further says: "From the inhuman treatment heretofore inflicted upon our prisoners, it is much to be feared that General Santa Anna, or those acting by his influence or orders, will sacrifice the lives of these unfortunate men, under the pretext that they were not acting at the time under the orders of the Texan government, or some other plea. It will be observed, however, that, although the men may be all murdered who were taken prisoners under Colonel Fisher, yet some few have escaped, who can establish the fact beyond a doubt that articles of capitulation were signed, and that the men were promised kind treatment, and all the rights of prisoners-of-war. This being the case, it can not be material to the question which may be brought to an issue between them and the government of Mexico, whether they were acting under the immediate and legal orders of the government of Texas or not."

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* Letter of Isaac Van Zandt, March, 1843.

† Mr. Van Zandt to Mr. Webster, March 23, 1843.

Immediately upon the receipt of the news of the capitulation of the Mier prisoners, the Texan government sent despatches also to its ministers in France and England, asking their interposition; but, as time might thus be lost, the president applied to Mr. Elliot, the British *chargé d'affaires* in Texas, to use his good offices, and, in answer to the remonstrances of his government, observed: "Admitting that they went without orders, and that so far as that was concerned the government of Texas was not responsible, and the men were thereby placed out of the protection of the rules of war—yet the Mexican officers, by proposing terms of capitulation to the men, relieved them from the responsibility which they had incurred; and the moment the men surrendered in accordance with the proposals of capitulation, they became prisoners-of-war, and were entitled to all immunities as such. . . . . Upon this view of the case," continued the president, "I base my hopes of their salvation, if it should be speedily presented, through the agency of her majesty's minister, to the Mexican government."*

On receiving intelligence of the battle of the Salado, and of the recapture of the Texan prisoners, Santa Anna had ordered them to be shot; but, upon the interposition of the American and British ministers, the sentence was changed to a decimation. The harsh treatment toward the Mier captives was said by Santa Anna, at one time, to result from the murder of the guard at the Salado;† at another it was attributed to the plundering of Laredo.‡

Thus much on the Texan prisoners in Mexico, the view taken of the matter by other nations, and the defence made by the Texan government. But still these captives were kept in confinement, and the most of them at servile labor. "They were hitched to a wagon," says William B. Middleton, "twenty-five in a team, and compelled to haul rocks from the mountain to the castle of Peroté. The prisoners, however, at no time lost their buoyant spirits; nor did they ever lose an opportunity for fun. M'Fall, a large, powerful man, was put in the lead, and was always ready, at the word, to get scared and run away with the wagon. This was often done, and the corners of the *adobe* houses always suffered in such cases. The Mexican officers would laugh, and the owners of the houses would swear in bad Spanish. Sometimes the team would stop in the street, doff the harness, and half of them go into a drinking-house on the right, and the other half to another house on the left. When they were driven out of one house, they would run over to the other. Thus the overseers were kept busy. They had the power of using the lash, but did not do it very often, as the Texans made it their business, at the peril of their lives, to return such civilities with ample vengeance."*

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* Houston to Elliot, January 25, 1843. Mr. Elliot, on seeing in the opposition papers the charge against the president that he had endeavored to produce a prejudice against the prisoners in the eyes of Santa Anna, wrote him as follows: "I forwarded to Mr. Pakenham, in a private letter, what you said to me on the subject. In my understanding, your position was, that these prisoners were entitled to the benefit of their capitulation, though you could not, of course, deny that the movement across the Rio Grande had been made on their own responsibility; and I concluded your purpose in saying this was, to free yourself from the imputation of using the language of aversion to an irregular and incursionary character of warfare in your communications to foreign governments, and of sanctioning it in your orders to the officers of the republic. It appears very probable that Mr. Pakenham conferred with General Thompson in the interest of these prisoners; but it must be quite unnecessary to say to you that he never could have given the least room for all this most unjust and injurious imputation that you desired to prejudice your unhappy countrymen in the sight of General Santa Anna. It is also quite possible that Mr. Pakenham and General Thompson may have thought that no good would come out of any appeal to General Santa Anna upon the subject at that time; but I am quite convinced that Mr. Pakenham never misconstrued your kind wishes about the prisoners, and I am equally sure that he was cordially disposed to second them."—*Elliot to Houston, June* 10, 1843.

† Santa Anna to Wilson Shannon, September 5, 1844.

‡ Same to Mr. Pakenham.

In 1842, information was transmitted to Texas, through a gentleman in Missouri, that a rich caravan of Mexicans, having a large number of mules and a hundred and fifty thousand dollars in specie, had passed from Santa Fé to Independence, and would thence proceed to the eastern cities to convert their specie into merchandise, setting out on their return to Santa Fé in the spring of 1843. As they would on the route pass through the territory of Texas, many of the Texans were desirous to capture them. Accordingly, on the 28th of January, 1843, Colonel Jacob Snively made application to the Texan government for authority to raise men to proceed to the northern portion of the republic, and capture the caravan. On the 16th of February, the permission was granted by the war department, and he was authorized to organize such force, not exceeding three hundred men. The expedition was to be strictly partisan, the troops to mount, arm, equip, and provision themselves, and to have half the spoil—but this was to be taken only in honorable warfare. They were authorized to operate above the line of settlements between the Rio del Norte and the United States boundary, but were to be careful not to infringe upon the territory of that government.* Such were Colonel Snively's instructions, and such his authority.

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* One of the overseers struck the prisoner William B. Middleton while he was stooping down to receive a bag of sand. Middleton immediately knocked him down with a stone. The guards ran up; but a Mexican officer present, seeing the whole affair, protected the prisoner. The overseers were not soldiers, but convicts.

The troops rendezvoused at Georgetown, six miles from Coffee's station, and the then extreme frontier. On the 24th of April, a sufficient force having arrived, the orders of the secretary of war were exhibited. Colonel Snively was unanimously chosen to the command; but so much of the order of the war department as provided that one half of the spoil should be paid over to the government "was unanimously rejected by vote."† The volunteers adopted a set of by-laws, and decided that the army regulations should govern them, when not in conflict with the by-laws.

On the 25th of April, having about one hundred and seventy-five in the command, they set out on the march. The general course of travel was west, on the dividing ridge between the waters of Trinity and Red rivers, on the old Chihuahua trail. They had occasional accessions to their ranks, and learned on the first of May that the news of the expedition had been published in the Missouri papers. At length, after various adventures amid the splendid scenery of the prairies and the Wachita mountains, on the 27th of May, to their great joy, they reached the Arkansas river, and encamped on its right bank, about forty miles below the crossing of the Santa Fé trail. At this time they had a scanty supply of provisions, and were in want of a proper knowledge of the country they were in, and of the distance to their place of destination. Some of them were sick, and borne on litters; others, whose horses had been lost or died, were on foot. Yet they were cheered by the sight of the river. On the following day they sent spies across the stream to search for the Santa Fé road, who returned and reported it to be eight miles distant, on the opposite side. Fresh signs of extensive travel were seen on the road, but it was unknown whether they had been made by the Mexicans or by Bent's people, who had a station one hundred and fifty miles higher up. Near the Arkansas crossing they met some of Bent's men, who informed them that the Mexican caravan was expected to pass, on its way to Santa Fé, in about eighteen days. They were also informed that the caravan was guarded by five hundred Mexican soldiers as far as the United States boundary-line, and that those troops were in that vicinity, waiting the return of their merchants. On the 2d of June, a partnership was proposed by the Bents. They offered to "put in" forty men at that time, and forty more shortly afterward; and were to have a *pro-rata* share of the spoil: but, in a few days afterward, the Bents sent word that they could not comply. The Texan spies, who had gone out to look after the enemy, reported six hundred. The advance of the latter took one of the Texans prisoner; but he passed himself off for one of Bent's men, and they released him. The Texans remained in the valley of the Arkansas some time, recruiting, drilling, and hunting for the enemy. On the 9th of June, they took a Mexican prisoner, from whom they learned that an express went from Texas to Council Grove, and informed the traders of the advance of Snively's expedition; but that the former, having procured two hundred United States dragoons to guard them across the boundary, would pass on.

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* G. W. Hill, Secretary of War, to Jacob Snively, February 16, 1843.

† I quote from the admirable manuscript journal of the expedition furnished me by Colonel Stewart A. Miller.

On the 17th of June, the Texans received news of the caravan. It was advancing, "composed of sixty wagons, and seventy-five thousand weight of merchandise." About fifteen of the wagons belonged to Americans, and the whole was guarded by three hundred United States dragoons, under the command of Captain Philip St. George Cooke. On the 20th, while the Texans were awaiting the arrival of the rich prize they had come to find, they met with a detachment of the enemy. The latter secured a good ravine, the only one for miles around in the prairie. The Texans immediately charged them, each one advancing according to the speed of his horse. Some of the Mexicans fled; the others, after discharging their pieces, surrendered. Those who fled were pursued, and three of them killed. The victory showed an aggregate of seventeen killed, and eighty prisoners, eighteen of whom were wounded. The Texans sustained no injury whatever, and from the spoils supplied themselves with horses, saddles, and arms, in abundance.

The Texans marched with their prisoners to a good "waterhole," where they remained until the 24th of June. On that day, about three hundred mounted Indians rushed into their camp at full speed, and one of the picket-guards fired at them, but they proved to be friendly. About this time the Texans began to be dissatisfied, and desired to return to their homes. This dissatisfaction continued; and on the 28th, when the spies came in, and brought no news of the caravan, it was greatly increased. About seventy of the men withdrew from the command, and elected Captain Chandler to lead them home. Three more of the wounded prisoners having died, the others were furnished with arms to keep them in meat, the wounded with mules to ride, and the whole of them set at liberty.

Captain Chandler with his party set out for home on the 29th of June, and Colonel Snively with the remainder proceeded up the Arkansas, to hunt game, and await the caravan. On the 30th, a party of Snively's men crossed to the left bank of the river, to kill buffaloes. They were discovered and run in by the advance of Captain Cooke's dragoons. That officer soon came up with his entire force, consisting of one hundred and ninety-six men, well mounted and equipped, and two pieces of artillery. He sent for Snively to visit him, and asked to see his papers, which were shown to him; whereupon he said to Snively that he believed the Texans were encamped on the territory of the United States.* Cooke then consulted with his officers, and they were of the same opinion. He then informed Snively that the Texans must be disarmed. Snively protested, and gave his reasons why the Texans were on their own territory. Cooke replied that "he had made his terms, and to them the Texans must submit." He further said that, "if one of Snively's men attempted to escape, he would throw his shells into their encampment, and send his dragoons across the river to cut the command to pieces."

Captain Cooke then crossed over the Arkansas with Colonel Snively, and with his dragoons surrounded the Texan camp, lighted his port-fires, and ordered the Texans to stack their arms, which they did, asking to be received as prisoners-of-war. Cooke told them he had made his terms, and they must submit to them, or they should receive worse. This he said to them after they were disarmed. Cooke then recrossed the river, leaving with Snively's command of a hundred and seven men only ten muskets! The Texans were thus left, surrounded by Mexicans and Indians, six hundred miles from home, though on the soil of Texas, the easy victims of the first-comer. After a night's reflection, Cooke saw that such inhumanity would not do, and, on the morning of the 1st of July, he sent for the men, and offered to escort as many of them as wished to go to Independence, Missouri. Some fifty of the Texans took this route, and received three of the ten muskets left with the entire command. The balance refused an escort, unless they were guarded home. Cooke then ordered the Texans to leave the territory of the United States as soon as possible, and departed.

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* Snively's report to the Secretary of War, July 9, 1843.

Colonel Snively now sent an express to Captain Chandler, and set out for Elm creek, about eight miles distant, and joined the latter on the 2d of July. Spies were sent off to look after the caravan, as the Texans did not care to give up the main object of the expedition. On the 4th, the Indians *stampeded* their horses, and took off sixty head. The Texans pursued the savages, and killed ten or fifteen of them, having one of their own men killed, and another wounded. On the 8th, the spies brought news that the caravan had crossed the Arkansas, and was on its way to Santa Fé. Snively, finding nearly all the men that had set out for home under Chandler unwilling to pursue it, resigned his command on the 9th of July. Chandler and his party set out for home. It is proper here to state that, by a previous understanding, the fifty men who went with Cooke were to return and join their comrades. They started, but, meeting some other Texans, they all returned to Cooke's command except fourteen.

The Texans now made a trial for volunteers to go after the caravan. They raised eighty-two men, elected Captain Warfield to the command, readopted the Georgetown by-laws, and set out on their march. Seventeen of them faltered, and returned with Chandler; the balance proceeded after the caravan. On the 13th, they struck a fresh trail, believed to be of a large body of Mexicans, under Governor Armijo, who were escorting the merchants. The Texans, fearing that they would be overpowered, abandoned the further pursuit, and started for home. On the following day, Captain Warfield resigned, and Colonel Snively was re-elected to the command. On the 20th of July, the Texans had a skirmish with the Camanches; and, on the 6th of August, after great privation and suffering, they reached Bird's fort, on the Trinity. Thus closed the Snively expedition.*

Having now pretty much concluded our accounts of the warlike expeditions in which Texas was interested, we turn to her diplomacy and domestic proceedings. It is proper to state, however, that since the last incursion of the Mexicans into San Antonio, the republic had kept an efficient company of rangers, under the command of Captain John C. Hays, between the western frontier settlements and the Rio Grande, and that its services had been very important. The Indians, being kindly treated, had assumed a more peaceful life; and, under the protection of the government, the trading-houses kept them supplied with the very few articles which they needed. The unfavorable influences of the Santa Fé and Mier expeditions have already been referred to; nor did that of Snively add anything to the glory of the Texan arms. "The first step," observes General Jackson to President Houston, in a letter dated August 31, 1843, "that led to the injury of the fame of Texas, was that foolish campaign to Santa Fé; the next the foolish attempt to invade Mexico, without means and men sufficient for the occasion. The fate of this rashness to those concerned will, I hope, put a stop to these disorders, and control the Texans within the bounds of your orders. The Texans now on the Santa Fé road from the United States can only be viewed by Mexico as a band of robbers—unless there by your orders—and, if taken, will every one be put to death."

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* The Texan government made an earnest complaint against this violation of its territory by Captain Cooke, and the president of the United States ordered a court of inquiry to investigate the matter. That tribunal assembled at Fort Leavenworth, and decided that Captain Cooke had acted within the line of his duty, and that he had disarmed the Texans within the territory of the United States. Notwithstanding this decision of the court, however, it turned out that Captain Cooke had invaded the territory of Texas, and had there disarmed the Texans. The Congress of the United States subsequently acknowledged the illegality of Captain Cooke's proceedings, and made a trifling appropriation to the Texans engaged in the expedition.—*General Order, U. S. Army, No. 19, April 24, 1844.*

In reference to the surrender of the Texan rifles, Snively's party would certainly have perished had they not taken the precaution to secrete some of their good rifles, and deliver over the *escopetas* which they had taken from the Mexicans. This will account for their ability to pursue the caravan, and to pass through the country of the Camanches.—*S. A. Miller's Journal: MS.*

In proportion as the Texan sky was overcast by these unlucky campaigns, that of Mexico was the more brightened. A member of the United States Congress, deeply interested in behalf of Texas, and intimate with Almonté, the Mexican minister, approached him upon these matters. "At one time," said Almonté, "we did not suppose that we could reconquer Texas; yet no man could have sustained himself in Mexico who would have declared otherwise, or who would have advocated the acknowledgment of Texan independence: but now the scene has partly changed, and we entertain strong hopes that Texas will soon be so reduced as to offer but little resistance."* Such was the result of insubordination in Texas, and such the hopes of Mexico.

But there was an influence at work that was destined to do much for Texas: it was a feeling of *jealousy* between the United States and Great Britain. It has been already intimated that the latter had made no serious attempt to produce peace between Mexico and Texas. It was only when she learned that President Tyler and his cabinet were favorable to annexation, that she began to put forth her power. Although the proposition for a union of the two republics had been formally withdrawn by the Texan government, yet Mr. Van Zandt, without instructions to treat, held informal conversations with the members of the American government upon the subject. He found the president and cabinet anxious for the success of the measure, but fearful that it would not meet the sanction of the senate. To stimulate President Tyler, the members of Congress friendly to Texas called upon him individually, and urged him to act, suggesting the designs of the British government. General Jackson was solicited to address a communication to President Tyler upon the subject, which he did; and, at the same time, he wrote to Texas, "I see you are negotiating with Mexico, but be careful of the designing English."

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* Letter of Isaac Van Zandt, March 4, 1843.

As early as the 10th of February, 1843, the Texan *chargé d'affaires* at Washington was notified by his government that the rejection by the United States of the annexation propositions of 1837 placed Texas in an attitude which would render it improper in her to take the first step toward a renewal of those propositions. He was therefore authorized to say verbally, should the matter be brought up, that it would be necessary for the United States to make an advance so decided as to "open wide the door of negotiation to Texas." Should that be done, then he was instructed to say that Texas renewed the proposal for annexation.

Santa Anna's propositions, through the medium of Robinson, "were everywhere met, by the people to whom they were addressed, with indignation and contempt."* Yet they satisfied the people of Texas, and of other nations, that the Mexican chief desired to treat; and that, so far as he could venture on his popularity at home, he would do so. The British *chargé d'affaires* in Mexico, taking advantage of this pacific disposition, under instructions from his government, urged upon Santa Anna the importance of an effort to settle the difference by commissioners to be appointed by each party. He further stated to the dictator that it would be useless to send commissioners to treat, on any terms, so long as the present warfare was carried on.

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* Anson Jones, Texan Secretary of State, to Isaac Van Zandt, May 8, 1843.

Santa Anna then authorized Mr. Percy Doyle, the British *chargé d'affaires*, to inform President Houston, through Mr. Elliot, that he would agree to an *armistice;* and stated that he would at once give orders for a total cessation of hostilities on his part, and requested that General Houston would despatch similar orders to the officers commanding the Texan forces. Should this be done, "he was ready to receive any commissioners which might be sent from Texas to treat on the terms proposed by him."* This communication was immediately despatched by an express brought by her Britannic majesty's sloop *Scylla*, and transmitted to the Texan government at Galveston.† The "terms proposed" by Santa Anna may have been those sent by Robinson, or those transmitted to Mr. Doyle — for the Texan government was only furnished with an extract from Mr. Doyle's letter. It was accompanied, however, by an official and an unofficial letter from Mr. Elliot, expressing the belief that the negotiations, once commenced, would "end in an honorable and desirable peace." In this view the vicompte De Cramayel fully concurred, and joined in urging the armistice.

The president of Texas, on the receipt of these communications, though he had little faith in the result, felt that it would be advantageous to the republic to negotiate, thus allaying for a time the ravages of war. Besides, it would encourage the friends of annexation in the United States, promote immigration; and give time to Texas to improve her finances, still in a wretched condition. The armistice was accepted and proclaimed on the 15th of June, to continue pending negotiations for peace, "and until due notice of an intention to resume hostilities (should such intention thereafter be entertained by either party) should be formally announced through her Britannic majesty's *chargés d'affaires* at the respective governments." At the same time, Captain Elliot was informed of the acceptance of the armistice, and requested to obtain the sanction of Mexico to the time of its duration, as set forth in the proclamation, previous to the appointment of commissioners. A despatch was also immediately forwarded to the Texan *chargé d'affaires* at Washington, enclosing copies of all these transactions.* The sloop *Scylla* carried back to Mexico the acceptance of the armistice, and the proclamation of President Houston.

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* Percy Doyle to Charles Elliot, May 27, 1843.

† Charles Elliot to Anson Jones, June 10, 1843.

These diplomatic movements, executed with secrecy and despatch, produced the most intense curiosity and interest in the public mind; and when, a few weeks afterward, a despatch was transmitted from the Texan government to its *chargé* at Washington, saying that, inasmuch as the United States had taken no definite action on the subject of annexation, and there being a prospect of an adjustment of the difficulties with Mexico, the president of Texas deemed it advisable to take no further action in the matter at that time† — when this information was imparted to the American government — the public anxiety was greatly increased. Texas saw the feeling of jealousy between the United States and Great Britain, and *took no pains* to dissipate it. She saw that the contest was for the mastery of the gulf of Mexico — involving the Monroe doctrine; and that, in the final issue, she had in her own hands the disposal of this great inland sea, with all its potent commercial and maritime influences. A dispassionate observer, acquainted with her antecedents, might well conclude that Texas would never fall into the lap of England. A thousand glorious associations connected with the fatherland forbade it; but the politics of the contending powers were not guided by such observers. Their passions, feelings, and pride, were all involved, and the "*pear was ripening*" more rapidly than the conservative school imagined, or even desired. Texas loved the parent-country, and felt that she was excusable in the use of such coyness of conduct as would cause that love to be reciprocated. The giant soul of the American Union could only be aroused by that jealousy which the mysterious diplomacy of Texas produced: and, as the plot thickened, the mystery increased, and with it the jealousy of the United States, until "TEXAS" became the battle-cry through mountains and valleys; and such standard-bearers as Benton, who were waiting for the *pear to ripen*, were overwhelmed, and the victory won!

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* Anson Jones to Charles Elliot, June 15, 1843. Anson Jones to Isaac Van Zandt, June 15, 1843.

† Anson Jones to Isaac Van Zandt, July 6, 1843.

The president of Texas seemed to enjoy this contest for supremacy between the great powers. To Captain Elliot, the British *chargé d'affaires*, he thus writes: "I know you will be amused at various matters with which 'Capricorn' of the 'Tropic' has been regaling the public at our expense. If we were butterflies, and lived but a day, we might be teased by such things. Pray, don't let them affect your serenity. I am as cool as a shoemaker's lapstone in an open shop at Christmas. I deny nothing; but as I see a piece, on the subject of your correspondence with Santa Anna, in the 'Farmer,' I will send it to you."* To Judge Eve, the American *chargé*, he writes as follows: "I find, as news reaches me from both the

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* Houston to Elliot, May 7, 1843.

United States and Texas, that the subject of annexation is one that has claimed much attention, and is well received. I find that even the oldest settlers, even some of the original three hundred, are as anxious for the event to take place as any that I meet with. How the project is to ultimate, it is impossible to divine. The democracy of the United States is in favor of the measure; and if it should become a political lever, both of the political parties will grasp at the handle. But of these matters you can judge better than it is possible for me to do; you have more sources of information than I can have."*

Thus passed the first half of the year 1843. The publication of the armistice dispersed the warlike preparations of Texas. The people were pleased with the change: ignorant of the moving causes, they saw a prospect of peace. The country never witnessed a more abundant harvest. Immigration was anticipated to a large extent. Fine farms were beginning to dot the face of the country; cattle were multiplying; and hope seemed at last to revel in a clear sky. The president was preparing for a visit to a grand Indian council of all the tribes in Texas, in which the United States were also to be represented.

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* Houston to Eve, February 7, 1843.

CHAPTER XIV.

On the 24th of July, 1843, Captain Elliot sent another despatch to the Texan government, transmitting the information, derived from the British *chargé d'affaires* in Mexico, that the duration of the armistice should be determined by the military authorities of the two countries, and referring Texas to General Adrian Woll, then in command at Matamoras. The despatch further proceeded to state that the commissioners to treat could come by land or sea; but that Santa Anna trusted they would be sent with full powers to negotiate upon the terms brought out by Robinson. Captain Elliot adds: "Under these circumstances, it will be for the government of Texas to determine what course to pursue. By admitting the *nominal* concession required of them, peace would be immediately secured; and, with peace, commerce and agriculture would flourish, and the foundations of daily-increasing wealth and power would be laid." This extract shows that the influence of the abolitionists and the Mexican bondholders in London controlled British politics on the Texan question. At the same time that there was perhaps not a single white man in Texas who would for a moment have submitted to even the nominal supremacy of Mexico, it was desirable to push forward the negotiations for an armistice, and establish it upon a solid basis. This could be done without touching the questions that would arise in the subsequent treaty negotiations. The Texan secretary of state, therefore, in his reply, informed Captain Elliot that his government would accept Santa Anna's proposition to send commissioners to treat with General Woll concerning the terms of the armistice; and, should these be satisfactorily adjusted, then commissioners would be despatched to Mexico, to treat for a permanent peace.*

On the 26th of July, Lieutenant Galan, of the Mexican army, arrived at Washington, on the Brasos, with a letter from General Woll, proposing to make public the armistice so soon as the Texan government recalled the forces under Snively. He also proposed Laredo as a suitable place for the commissioners on the armistice to meet. Woll's letter was addressed to "*General* Houston." The latter referred it to the secretary of war, who replied as though it had been directed to the president of Texas, and informed General Woll that the commissioners would meet at Laredo about the 25th of September; and also that orders had been issued to call in the Snively expedition as soon as it could be reached.†

It is proper likewise to mention that the Texan secretary of state, in his letter to Captain Elliot of the 30th of July, said that if Mexico were sincerely desirous to remove all obstacles to a successful and happy termination of existing difficulties, she should at once release the Texans she held in captivity; for, so long as they were detained, accounts of their sufferings would reach their friends and countrymen in Texas, and keep alive a hostile feeling. Captain Elliot was requested to present this matter, through the British minister in Mexico, to Santa Anna. To this application an answer was shortly returned, through the same channel, to the effect that, so soon as the Texan government delivered all the Mexican prisoners in its hands—some of whom had been detained since the battle of San Jacinto—at the headquarters of General Woll, then Santa Anna would release all the Texan captives held by him, though they amounted to more than the Texans held of the Mexicans.* To this Mr. Jones replied that Texas retained no Mexican prisoners; that those of San Jacinto had all been released in 1837; and, if any of them still remained in the country, it was of their own choice: nevertheless, the president of Texas had issued his proclamation, calling upon all that were in the republic, and who chose to return, to report themselves to Colonel John C. Hays, at Bexar, by the 10th of October, when they would be sent to General Woll free of charge.†

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* Charles Elliot to Anson Jones, July 24, 1843. Anson Jones to Charles Elliot, July 30, 1843.

† Adrian Woll to General Houston, July 16, 1843. George W. Hill to Adrian Woll, July 29, 1843.

On the 26th of September, George W. Hockley and Samuel M. Williams were appointed, on the part of the Texan government, commissioners to meet those of General Woll, at some point on or near the Rio Grande, to agree upon the terms of the armistice. Their instructions were as follows: "To endeavor to establish a general armistice between Texas and Mexico, to continue during the pendency of negotiations with Mexico for a permanent peace, and adjustment of the difficulties between the two countries, and for such further period as they could agree upon, requiring due notice to be given by either party disposed to resume hostilities, to the other, through the minister of Great Britain resident at the corresponding court, six months previous to any act of hostility; to agree that the government of Texas should appoint commissioners, clothed with full powers, to meet at the capital of Mexico, to negotiate for the adjustment of all existing difficulties between the two countries, and the establishment of a permanent peace between Texas and Mexico; to require safe conduct by sea or land, to and from the city of Mexico, for the commissioners which might be appointed by the government, as also protection during their stay in Mexico, and for all persons charged with despatches from Texas for the commissioners, and from them to Texas, as is usual among nations in such cases." These, together with some further provisions, prohibiting Mexican soldiers from crossing the Rio Grande, and in relation to the punishment of persons violating the armistice, constituted the instructions to Messrs. Hockley and Williams.*

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* Charles Elliot to Anson Jones, August 28, 1843.

† Anson Jones to Charles Elliot, September 4, 1843. Houston's Proclamation, September 4, 1843.

The rumors put in circulation in regard to these matters were infinite; though they would have passed unnoticed, had not the name of General W. S. Murphy, the successor of Judge Eve as *chargé d'affaires* from the United States, been associated with them.† A correspondence ensued, and the rumors were found to be disconnected with General Murphy. Still, the fact was manifest that the jealousy of the United States was greatly excited by this passing and repassing of the British sloop-of-war *Scylla* from Vera Cruz to Galveston, and the consequent armistice. The interest taken by the American government in bringing about a peace between the belligerent countries became the more lively. General Thompson was instructed to protest and remonstrate in the most solemn manner against a recent order of Santa Anna, directing all foreigners taken in arms to be immediately put to death, and to declare that the United States viewed that order as inhuman and barbarous, and could not see its execution with indifference. He was further instructed to say that his government viewed the war between Mexico and Texas as having lost its high character, and that it could be called only a war of plunder, pillage, and robbery; that the United States deprecated its further continuance; and, while they did not dispute the right of Mexico to resubjugate Texas if she could, they questioned her right to keep the subject open, and expressed the decided opinion that the war should be at once ended, either by negotiations or by arms. These, with some other very strong observations, constituted the new instructions to the American minister in Mexico, from the pen of Mr. Upshur, the successor of Mr. Webster as secretary of state.[*]

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* Instructions of G. W. Hill, Secretary of War, September 26, 1843.

† Mr. Van Zandt, writing from Washington, under date of November 7, 1843, says: "I think it may be safely set down as true that General Murphy, among other things, thinks that there is an undue intimacy existing between the president of Texas and Captain Elliot." Mr. Van Zandt did not see the despatches, but gathered this much from a conversation with President Tyler.

In the beginning of October, and while affairs were thus progressing, some difficulties occurred between the governments of Great Britain and Mexico, and of such a character as to cause Mr. Doyle, the British *chargé d'affaires*, to suspend his diplomatic functions. This necessarily cut off the channel of communication between Texas and Mexico. Yet the Texan government was assured that the differences were only temporary.[†]

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[*] Isaac Van Zandt to Anson Jones, August 10, 1843.

[†] Letter of Charles Elliot, November 27, 1843. It appears that, at an anniversary ball given by Santa Anna, at which the different foreign ministers were in attendance, there was a display of flags taken in battle. Among them was a British standard taken from an English sailor at the battle of Mier. Mr. Doyle, the British minister, requested that it might be removed, and was assured that it should be done the next day. Time passed on until the 27th of September, when another ball was given. Mr. Doyle, on attending, saw the English union jack still hanging in the *salon de reception*. After some strong diplomatic notes, Mr. Doyle suspended his functions. There were also some other differences in regard to certain claims due to British subjects, which, being brought into the discussion, influenced the minister in the course he took. Mr. Doyle, previous to the suspension of his functions, had transmitted to Santa Anna what Houston had said about the Mexican prisoners in Texas, and his proclamation for the re-

In the meantime, the Texan government, to strengthen its hold upon the western frontier, encouraged a trade between the people of the two countries at Corpus Christi, and urged the United States and Great Britain to appoint consuls for that port.

The eighth Texan Congress assembled at Washington on the 4th of December, 1843. The message of President Houston did not appear until the 12th. In that paper he referred with pleasure to the prosperous condition of the republic, her growing commerce, and the good results of the pacific policy pursued toward the Indian tribes, with all of whom, except two, treaties had been made. He referred also to the pending negotiations for an armistice with Mexico, and stated that the two individuals appointed by Texas had set out on their mission. For the kind offices of the three great powers in bringing about these negotiations he presented the thanks of the country. The efforts of the British government were particularly named as flowing from a sincere and "disinterested" desire to bring about a result honorable to the republic.

But the message of the Texan chief magistrate was soon forgotten in the excitement produced by that of John Tyler, president of the United States, delivered to the federal Congress on the 5th of December, 1843. The Mexican government, anticipating some action in the American Congress on the subject of annexation, had forestalled the result by threatening the United States with a declaration of war if such annexation took place. President Tyler referred to this threat as idle; and, after speaking of the predatory character of the war which had been waged by Mexico for eight years, declared that "the

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lease of any that might remain; but, by the breaking off of his official intercourse, the former was prevented from pursuing the matter of the release of the Texan prisoners in Mexico any further.

Creator of the universe had given man the earth for his resting-place, and its fruits for his subsistence. Whatever, therefore, should make the first, or any part of it, a scene of desolation, affected injuriously his heritage, and might be regarded as a general calamity. Wars might sometimes be necessary, but all nations had a common interest in bringing them speedily to a close." All this was sound philosophy; and President Tyler, in its practical application, declared that the "United States had an immediate interest in seeing an end put to the state of hostilities existing between Mexico and Texas." Among other reasons given why the American Union could not be indifferent, he affirmed that "a warfare, such as was waged between those two nations, was calculated to weaken both powers, and finally to render them—and especially the weaker of the two—the subjects of interference on the part of stronger and more powerful nations, which, intent only on advancing their own peculiar views, may sooner or later attempt to bring about a compliance with terms, as the condition of their interposition, alike derogatory to the nation granting them, and detrimental to the interests of the United States." President Tyler then gave many cogent reasons why the United States could not quietly submit to such interference, and declared that they were bound by interest and sympathy to see that Texas was left free to act, "especially in regard to her domestic affairs, unawed by force, and unrestrained by the policy or views of other countries."

This message reached the British and French representatives to the Texan government at New Orleans. They were "wonder-struck."—"When Texas," said they, "has arrived at a state of truce with Mexico, with no help from the United States, and has good hope of a permanent peace, out comes the government of the United States with a declaration that Mexico is not to be suffered to make war against her. Why, she *is* *not* making war against her; and this notice would have been more kindly timed in December, 1842, when there was good reason to believe that Mexico did meditate an incursion into Texas. But at that time the United States were negotiating their claim-convention with Mexico, and then it did not suit them to irritate the Mexican government. 'Pay us the money, and you may do what you like with Texas,' was the music of December, 1842; but, now that there is a hope of settlement, the United States do what they can to prevent it. That Mr. Tyler should have said so much concerning the settlement of the affairs of Texas, without one syllable of notice of the wishes or feelings of the government and people of Texas, is certainly the most barefaced piece of political impudence on record. And when Mr. Tyler speaks of the geographical line of division, and of the opinions of some people that the territory actually belongs to the United States, he is a *gigantic joker*. Such drollery beats the world.

"When he arrives at the point of deciding that the United States will not suffer Texas to entertain any project respecting the abolition of slavery—for that is meant broadly enough—he really seems to be intending something very little short of the *enslaving* of the government and people of Texas. Whatever may be the *decision* of the government and people of Texas on that, or any other subject of internal interest, it is surely their unquestionable right to entertain or reject any proposition made to them by powers in alliance with them, without asking the good leave of Mr. Tyler—and upon grounds which they may judge best suited to their own interests and honor.

"If Texas admits these lofty pretensions of the United States, there is reason to fear that other powers will think she is already *swallowed up*, or that Mr. Tyler's *geographical line* is rubbed out."

Such were the feelings and language of the great European powers on reading President Tyler's message; and, while they were charging him with dictatorial assumptions, they were actually dictating to Texas the course she should pursue, if she desired a continuance of their smiles. But President Houston "was as cool as a shoemaker's lapstone on Christmas-day," and thought the republic very happy in having so many good friends. As for the people of Texas, they were duly advised of the proceedings at Exeter hall, and of the influence exerted by the Mexican bondholders in London, and were not so patient as their chief magistrate. In their reminiscences, they went behind the period of December, 1842, to the times when they so much needed "aid and comfort" in men and money—and were not disappointed—to the time when, in the hour of their infancy and helplessness, they were told by Lord Palmerston that "her majesty's government would be justifiable in sending out a ship-of-war to Texas," to demand the payment of certain claims against the republic.*

Let us recur for a moment to the efforts actually made by Great Britain in behalf of Texas, and the interest which she fancied she had in effecting a peace:—

1. By the Hamilton convention of November 14, 1840, Great Britain offered her mediation between the belligerent states, for the consideration that, if successful, Texas "would take upon herself a portion amounting to one million pounds sterling of the capital of the foreign debt contracted by Mexico, prior to the first day of February, 1835." This tender of the mediation of Great Britain was rejected by Mexico, of which Texas had due notice.

2. In 1842, Texas applied to the three great powers—the United States, Great Britain, and France—to interpose jointly

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* Palmerston to Henderson, November 12, 1839.

in her behalf, for the termination of the war. To this proposition France and the United States were willing to accede, but Great Britain preferred that each power should act separately. In the spring of 1843, Texas learned that these efforts were hopeless.

3. At the same time, Texas was informed that Mr. Doyle, the British *chargé d'affaires*, had been instructed to propose to Mexico a settlement of her difficulties with Texas, based upon the abolition of slavery in the latter. We are not advised what were the representations made by Mr. Doyle to Santa Anna, that brought about the proposition for a truce; but, consequent upon the truce, Messrs. Hockley and Williams had been sent to the Rio Grande, to negotiate an armistice. Pending this negotiation, Great Britain invited France to join her in the mediation. The United States were doubtless excluded on account of the slavery question, as also from the desire of those two powers to prevent the American Union from acquiring further territory and influence upon the gulf of Mexico.*

The commissioners to negotiate the armistice proceeded to Sabinas, on the west side of the Rio Grande, where they met Señors Landeras and Jaunequi, commissioners appointed by General Woll, in pursuance of orders from Santa Anna, and the negotiation commenced. The first propositions presented by the Texan commissioners were fully in accordance with their instructions. The object of the government of Texas in this negotiation was, to procure an armistice of as great duration as possible, and not to enter into a discussion of any of the questions to be afterward settled by commissioners to treat of peace. The instructions furnished General Woll by Santa Anna were of a general nature; but both governments required the agreement, when made, to be submitted for ratification or rejection. After some difficulties, the negotiation was cut short by information of proceedings in the United States and Texas in regard to annexation. The intelligence of these movements so exasperated the Mexicans, that the commissioners from Texas scarcely felt safe under the pledges of protection given. The latter signed the armistice on the 18th of February, 1844, and returned home. It was promptly rejected on the part of Texas, because it referred to her as a *department of Mexico.* "I did not deem it necessary," says President Houston, "to take any action upon the agreement signed by our commissioners, further than to reject it silently. I supposed that Santa Anna would calculate, as a matter of course, that some action would take place under it, and consequently that we would gain time by silence."*

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* Messrs. Henderson and Van Zandt to Mr. Calhoun, April 22, 1844. Nor do we know whether Mr. Doyle stated, in his note to Captain Elliot, that Santa Anna's propositions were based on the paper sent to Texas by Robinson. One thing is certain, however—that, in the extract from Mr. Doyle's note furnished the Texan government by Captain Elliot, the Robinson propositions were neither named nor hinted at; nor were they referred to in Captain Elliot's letters. The latter had been informed that the Robinson propositions were wholly inadmissible.

To return to the causes that disturbed the negotiations for an armistice. It is scarcely necessary to inquire who first proposed the question of annexation. We have already seen that it was predicted in general terms by the Spanish minister of foreign affairs, immediately after the American Revolution; and that it was alluded to more definitely by Captain Pike, in 1806; also that it was named by General Houston, directly after the battle of San Jacinto, and formally presented by the government of Texas in 1837. Afterward, in 1842, it was officially intimated as a question having vitality. But on the 6th of July, 1843, the subject was suspended by order of the Texan government. On the 18th of September following, that government was notified, through its *chargé d'affaires* at Washington, that Mr. Secretary Upshur brought up the subject in all his official interviews, stating that "it was the great measure of the administration, and that he was actively engaged, under the instructions of President Tyler, in preparing the minds of the people for it, and in learning the views of senators on the subject." He further informed Mr. Van Zandt that President Tyler contemplated early action upon the subject; and requested Mr. Van Zandt to make the same known to his government, in order that, if Texas desired to treat on that subject, she might clothe her representative with suitable powers. On the 16th of October, Mr. Upshur made a formal proposition to treat on the question; and Mr. Van Zandt transmitted it to Texas, asking the advice of his government.* At this time, the young republic was most delicately situated. Many of her citizens were prisoners in Mexico, and it was desirable not to irritate that country until they were released. Vague propositions for peace were passing through the channel of the British ministers; and Texas thought she could treat for annexation on better terms if she could have her independence first acknowledged by Mexico. In addition to these considerations, should she enter into negotiations with the United States, and the treaty fail in the senate, she would lose the friendship of Great Britain and France, exasperate Mexico, and, what was worse than all, compromise her own dignity and self-respect. For these reasons, the Texan executive was wary, and suspended his action upon the propositions advanced by President

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* Houston to Van Zandt and Henderson, May 10, 1844.

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* Mr. Van Zandt to Mr. Jones, October 16, 1843. It would appear, from these facts, that President Tyler has the credit of having initiated the proposition on the part of the United States. But a very distinguished and reliable authority said (January 17, 1844): "General Jackson has done much to arouse up this administration to make the proposition. He, more than any man, is *the basis* of whatever has been proposed to your government."—*Letter of A. V. Brown.*

Tyler. The discussions on the subject among the people of the United States were daily growing in interest; and the backwardness of Texas in closing in with Mr. Upshur's proposals, only increased the excitement. What could President Houston mean? The public mind in both countries was on tiptoe; and the curiosity to look into the diplomatic notes that were supposed to be passing to and from the Texan government was hardly restrained within the bounds of good manners.

On the 18th of December, 1843, a resolution was adopted in the Texan senate of an extraordinary character. After referring in the preamble to the existing excitement, it proceeded to set forth that, "whereas, it is now understood that a special messenger has been despatched this morning to the government of the United States, charged with important matters connected with said negotiations, the same being secret from the representatives of the people; and, whereas, it is the especial duty of the members of this Congress to inquire into all matters in which their constituents are supposed to be deeply interested, and particularly in regard to those which have produced great excitement in the public mind: *Be it therefore resolved*, That the president be requested to recall said special messenger, and delay his departure, until the matters to be communicated through him shall have been made known to this Congress, and such action shall be had thereon as shall be deemed advisable." The president, in a very pointed message, refused to comply with this resolution.* On the 22d of December, the representative branch of the Congress made another call; this also he declined.† Unable to get anything from their president, they applied to General Murphy, the United States *chargé d'affaires* in Texas, for copies of the correspondence; but this he flatly refused. The president informed the house of representatives, in reply to its call, that, although it would not be proper to publish the correspondence, yet the speaker and the committee on foreign affairs, by calling at the state department, could read and examine it. They did so, and were so far satisfied. But what had already been done, had become public: the prospect of a favorable armistice with Mexico was blighted; the release of the Texan prisoners was postponed; Great Britain was aroused to ask for explanations; and the peace of the republic was jeoparded.

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* Message to the Senate, December 20, 1843. Executive Record, p. 281.

† Message to the House, January 1, 1844. Executive Record, p. 294. General Jackson was very severe upon the Texan Congress for these calls. He says: "I have seen the impudent call upon you for all the correspondence between Great Britain and Texas, Mexico and Texas, and the United States and Texas;

Before responding to the proposition of Mr. Upshur, the executive of Texas wished to assure himself of two things: first, that the treaty, when made, would be ratified by the United States senate—lest Texas should be humbled and made cheap by a failure; second, that Texas should be protected by the United States against her enemy, pending negotiations. On the first point, he was assured by the most intelligent and influential men in the United States that the treaty would be ratified. "I think I can lay my finger on forty senators," says one, "who would vote for it, while, you know, thirty-five would be sufficient."—"I have no doubt," observed another, to whom for nearly a third of a century he had looked for advice[*]—"I

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and I have gloried in your firmness and wisdom in withholding it, under your present and existing circumstances. I now say to you, as I said to the organ of President Tyler, when he informed me that the president had thought of naming the subject of the annexation of Texas to the United States in his message—that this business should be transacted under the greatest secrecy; and the first public notice of this act should be when the treaty was concluded and laid before the senate for ratification; and then kept secret, if that were possible, till ratified."—*Jackson to Houston, January 23, 1844.*

[*] The intimate acquaintance of General Houston with General Jackson commenced in 1816, when the former was introduced by Colonel Thomas S. Jesup into the military family of the latter. Colonel Robert Butler, the adjutant-

have no doubt but the treaty will be ratified by the senate as, our friends write me that thirty-nine senators will vote for its ratification, while thirty-five are two thirds."

On the second point, Mr. Van Zandt inquired of Mr. Upshur, confidentially, whether, after the treaty was signed, and before it was ratified, the president of the United States would order a military and naval force to the proper points on the gulf of Mexico sufficient to protect Texas from foreign aggression.* In reply, he was directed to assure the government of Texas that, the moment the treaty was signed, President Tyler would send a naval squadron upon the gulf, and a military force to the Texan borders, to act as circumstances should require; and, furthermore, the United States would then say to Mexico, "You must in nowise disturb or molest Texas."†

In anticipation of a satisfactory solution of these points, President Houston, on the 20th of January, 1844, sent to the Congress of Texas his secret annexation message.‡ As the proper assurances had not then been received from President Tyler, it was carefully guarded. He suggested to the Congress that, "if they evinced too much anxiety, it would be

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general of Jackson's division, was desirous of obtaining an assistant in his office, and wrote to Colonel Jesup on the subject. The answer of the latter will show how this intimacy first commenced: —

"HEADQUARTERS, BATON ROUGE, *November* 1, 1816.

"DEAR SIR: I have had the honor to receive your letter of the 18th ult. Lieutenant Rodgers has just reported to me that he has declined a situation in your office. Lieutenant Houston, who is now at Maryville on furlough, would in all probability accept the situation were it offered to him. I am not acquainted with him, but I am told he is well qualified.

"I have the honor to be, &c.,

"THOMAS S. JESUP, *Colonel commanding 8th Military Department.*

"P. S. — Croghan spoke of him in the highest terms when he turned over the command to me. "T. S. J.

"To Colonel ROBERT BUTLER, *Adjutant-General, Nashville, Tennessee.*"

* Mr. Van Zandt to Mr. Upshur, January 17, 1844.

† Mr. Van Zandt to Mr. Jones, January 28, 1844.

‡ Executive Record, p. 307.

regarded as importunity, and the voice of supplication, in such cases, seldom commanded great respect." The object of the message was an appropriation to cover the expenses of an additional agent to the United States, should certain contingencies happen. The appropriation was made; and, in the meantime, the assurances of protection came to hand. Having all things ready, and, as he supposed, the points well secured, President Houston wrote to General Henderson—the person he had appointed to co-operate with Mr. Van Zandt in forming a treaty—to come *immediately* to Washington on the Brasos, on his way to the United States.* The commission was soon assembled at Washington city, and the business of forming a treaty immediately began.

In the meantime, Captain Elliot, the astonished witness of all that was made public, and one well qualified to conjecture what was secret, asked for explanations from the Texan government. The president and secretary of state both answered him very kindly; and it happened that they had some very cogent reasons to offer in justification of the course pursued. While they expressed the greatest confidence in the good will of her majesty's government, they reminded Captain Elliot that the armistice had failed, that the Texan prisoners were still held in bondage at Perote, that the British minister at Mexico had suspended his functions, and consequently the influence of Great Britain as a mediator had become paralyzed; that the nations to whom Texas had appealed had given no pledge that Santa Anna should not invade her frontiers; that her situation was critical, and she had been worn down by ceaseless watching and anxiety; and, finally, that the proposition for annexation had been made by the government of the United States, and the required pledges given for the protection of Texas against her enemy, and, for the sake of peace and future security, the republic had accepted them.*

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* Houston to Henderson, February 10, 1844.

The instructions of Messrs. Henderson and Van Zandt were of a general character, referring to those given to General Hunt by Stephen F. Austin, secretary of state, in 1836. Two additional points, however, were named: they were to provide in the treaty that the territory of Texas might thereafter be divided into four states; and also, in regard to the Texan navy, that the national vessels should become the property of the United States, the latter paying the builders thereof the price agreed to be paid by Texas for them.† They were further instructed to regard the boundary of Texas as defined by her statute.‡

While these things were passing, the French and British governments united in a protest against the annexation of the young republic to the American Union.‖ Nevertheless, Texas, having embarked in the matter, was in earnest about it; and her commissioners, and all her friends who could use any influence, were engaged. The treaty was at length completed, on the 12th of April, 1844, signed by the Texan commissioners and Mr. Calhoun (who succeeded to the state department after the untimely death of Mr. Upshur), and sent by President Tyler to the American senate for ratification.

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* Captain Elliot to the President of Texas, March 8 and 22, 1844. President of Texas to Captain Elliot, March —, 1844.

† Mr. Jones to Messrs. Henderson and Van Zandt, February 25, 1844.

‡ President Houston, in pursuance of the secret act authorizing the sale of the Texan navy, had ordered the disposal of it at Galveston, in the latter part of 1843, but it was forcibly resisted by certain persons there. When, afterward, the annexation propositions of President Tyler were entertained, the prospect of including the navy and the debt due for it in the treaty, induced the Texan executive to recommend a repeal of the secret act authorizing its sale, which was done.

‖ Ashbel Smith to Anson Jones, February 29, 1844. This protest, which had been drawn up by the ministers of England and France, was countermanded — the protestants fearing that it might increase the excitement of the people of the United States, and unite them on the subject of annexation. — *Ashbel Smith to President Houston, August 31, 1844.*

At the time this treaty was presented to the senate, there is little doubt but a majority of the people of the United States —and a large majority—were in favor of its ratification; but the senate, generally deliberate, grave, and just in its conclusions and advice, was at that time greatly agitated by the approaching presidential election. The popular voice in the United States, though slow in finding utterance, will always in the end be heard. This voice was more potent for annexation than the grave senators believed it to be. Of the two parties into which the people of the Union were divided, Henry Clay was the idol of the whigs, and the embodiment of their principles. Martin Van Buren was the favorite of the democrats; and it was confidently expected that they would each be nominated by their respective parties at the approaching conventions—that of the whigs to be held at Baltimore, on the 1st of May; and that of the democrats at the same place, on the 27th of the same month. They were both called upon for their views on the subject of annexation. Mr. Clay made public his opposition to the measure in a letter dated at Raleigh, North Carolina, on the 17th of April. Mr. Van Buren soon followed, taking the same position. So soon as these letters were published, those acquainted with the party ties which bound senators and citizens to their political chieftains were satisfied that the treaty would be rejected in the senate. Yet in the discussion in that grave body the influence of the publi[illegible]oice was manifest; for those whose party relations urged them in opposition, took that ground with a *saving clause:* they were in favor of annexation in the abstract, but the way, the form in which it had been brought up, did not suit them.

The whig convention nominated Mr. Clay on the 1st day of

May, as the candidate of that party for the presidency. This gave a party sanction to his Raleigh letter, and his leading friends took ground against the admission of Texas. A public functionary of the republic, then at Baltimore, and unacquainted with such scenes as he there witnessed, says: "In the immense concourse of persons assembled here during this week from the various parts of the Union, there was *not one* to be found to raise his voice in our behalf; and I declare to you that such a thing as sympathy for us as a nation, however pressing our difficulties, is totally unknown among this people: and whatever might be our fate, it would receive more derision than regret. The opinion very generally prevails that we are a nation of scoundrels, speculators, and adventurers, unworthy to occupy a place in this party-cursed country, and we are treated in accordance with this notion."

Between the 1st and the 27th of May, the democratic leaders had time to look over the ground, and take advantage of the response that came up from distant states. As calls had been made upon other public men for their views on this annexation question, and many had answered favorably, politicians of foresight were surveying this list in search of a friend to Texas who would do for a standard-bearer in the contest of November. However, no agreement was made before the assembling of the convention. Mr. Van Buren had been endeared to the democratic party by his earnest efforts to establish a constitutional treasury, free from the control of bank-corporations. When the convention met, however, and the pledges of delegates had been redeemed by casting their votes for Mr. Van Buren, and the untrammelled question was presented between that gentleman and annexation, he was rejected, and the nomination conferred on James K. Polk, of Tennessee, a civilian of considerable political talent, and of unexceptionable character, who had already come out in favor of the annexation policy. George M. Dallas, of Pennsylvania, having similar views, was nominated for vice-president. Thenceforth the cry of "Polk, Dallas, Texas, and Oregon,"* electrified the masses of the Union. It was the political *sirocco*, sweeping over the country, and winding up the public history of proud statesmen and conservative patriots.

To return to the proceedings of the American senate. That body discussed the treaty of annexation until the 8th of June. It was then rejected by a vote of sixteen to thirty-five. Mr. Benton was particularly severe upon President Tyler, and declared that this Texas question had been sprung on the eve of the Baltimore convention, to give second-rate politicians time to amend their answers. Yet, beneath all the political bitterness of that day, there was a strong current which Mr. Tyler, through wisdom or good fortune, discovered. He followed it up, and, though he had no party to raise him a second time to the presidency, he had the high honor to connect his name with one of the most important steps taken by the United States since their confederation. For this the pen of impartial history will do him justice.

The receipt of the news of the rejection of the treaty produced a painful sensation in the public mind in Texas. The people felt that they had been twice spurned by their natural parent, and that their heroic sufferings had all been lost upon her. There were few men in the republic who had not at the moment resolved to banish for ever all affection for her, and seek among strangers and foreign nations a more congenial friendship and protection. For the sake of the mother-country Texas had turned the cold shoulder to Great Britain and France, and greatly exasperated Mexico; and yet, for all this, to be denounced by the political orators of the Union as a country of "scoundrels, speculators, and adventurers," and have her character and dignity made the football of factions, was too bad! Texas felt humbled: not that she had not done her duty, and acted in good faith with all nations, but because she had been deceived. She could not cast any blame upon her great friends, who had so earnestly and sincerely besought her to accept the propositions of President Tyler; but she did blame those in high places who withheld their hands to welcome her into the federal Union; and she rejoiced that their opposition to her had brought down upon them an avalanche, under which they were crushed!

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* Among other proceedings of the Baltimore convention of May 27, 1844, they resolved that "the reoccupation of Oregon and the *reannexation* of Texas, at the earliest practicable period, are great American measures, which this convention recommends to the cordial support of the democracy of the Union."—*The Statesman's Manual*, vol. ii., p. 1426. The word "*reannexation*" was a great favorite with General Jackson. He used it in his letters. The idea was as old as the treaty with De Onis. The day after Houston left the convention at Washington on the Brasos, to take command of the army, he wrote back to Collingsworth, chairman of the military committee, advising that "Texas be declared a portion of Louisiana."

General Murphy, the American *chargé d'affaires* in Texas, announced the result to the latter government in a few words. "The treaty," said he, "is rejected, and so is my nomination: the tail went with the hide!"* The feelings and hopes of the friends of Texas in the United States are fully expressed in the following view taken of the matter by General Jackson: "The rejection of the treaty filled me with regret; but the effect of this movement brings the subject directly to the attention of the people; and we shall, in the course of a few months, be enabled to understand what their verdict will be. There is every reason now to believe that discussion and reflection are strengthening the views of the politicians who favor annexation; and that Mr. Clay, weakened by his position on this subject, will be defeated by a large majority. So confident am I that this will be the case, that I am anxious you should be prepared for it, and not take any course for Texas which may create new embarrassment in the negotiation or legislation which will be necessary to carry into effect the measure of annexation."*

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* W. S. Murphy to the President of Texas, July 8, 1844.

The public feeling in Texas at that time was perhaps well expressed in General Houston's reply to the above communication: "The moment I received your last letters, I did not respond to them, because I wished to await the further developments which have since taken place. I announce to you with pleasure that Texas is free from all involvements and pledges; and her future course, I trust, will be marked by a proper regard for her true interests. My decided opinion is, that she should maintain her present position, and act aside from every consideration but that of her own nationality. It is now the duty of the United States to make an advance that can not be equivocal in its character; and when she opens the door, and removes all impediments, it might be well for Texas to accept the invitation."†

Texas, now finding herself alone—abandoned by the land of her origin—turned to the "lone star," the beacon of former victories, and, with a proud though wounded spirit, determined to make it respectable. There was one consideration, however, that still withheld her arm: she was well advised that the voice of the American senate was not the voice of the people. Every state in that Union was represented by citizens in Texas; and from Maine to Louisiana their friends assured them that Polk would be elected, and all would be well.

Mexico received with pleasure the news of the rejection of the treaty of annexation, and Santa Anna made preparations for another marauding incursion to San Antonio; but domestic troubles changed the face of things, and induced him to countermand the order. By the terms of the armistice, if it had been ratified, it was to expire on the 1st of May, 1844, unless there was a prospect of a treaty of peace being made. The Mexican government waited until June, in order to receive further information from Texas, but, obtaining none, General Woll, on the 19th of that month, sent a notice to "General Houston" that "hostilities were renewed, and declared to exist from the 11th instant." He took occasion to state further, by order of Santa Anna, that his government "was highly indignant at the perfidious conduct of the said inhabitants of Texas toward Mexico" in regard to the armistice. To this note the president despatched to Santa Anna a suitable reply.*

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* Jackson to Houston, July 19, 1844.

† Houston to Jackson, December 13, 1844.

The Texan government inquired of President Tyler whether, since the rejection of the treaty, the American forces in the gulf of Mexico and on the borders of Texas would be withdrawn. The answer was, that they would still remain as they were; only, that they would correspond with the United States *chargé d'affaires* in Texas instead of the president of the republic. The naval squadron under Captain Conner, and the military force under General Taylor, although they would have had no power to act had Mexico invaded Texas, served nevertheless to overawe the former government. However, as has been already stated, Mexico had troubles at home, which prevented her from executing the bloody threats of General Woll.

The European governments, rejoiced that the senate of the United States had so far co-operated with them in preventing annexation, determined on a new effort to place the question on such ground as would for ever prevent its consummation.

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* Houston to Santa Anna, July 29, 1844.

The difference between Great Britain and Mexico about the flag was hastily patched up, and a new minister sent to the latter. Great Britain and France, in order to prevent the United States from obtaining Texas, were willing to waive the question of slavery, and united their efforts to procure from Mexico the recognition of the independence of Texas, provided the latter would agree to maintain her independent position. In this effort, they proposed to secure the United States as a joint guarantor. In the meantime, after the treaty had been made with President Tyler, General Henderson was recalled from Washington; and, after its rejection, Mr. Van Zandt was permitted to resign, and the relations of Texas with the American government were left in the hands of the secretary of legation.*

The internal affairs of Texas were now comparatively prosperous. The increase in the revenue from customs had kept the government from starving. That from direct taxation had been badly managed—principally, however, for want of laws to enforce its collection. For the year 1843, of the sum of forty-nine thousand dollars assessed, only thirteen thousand dollars had been collected and paid in. The Texan tariff amounted to an average of twenty-four per cent. The Congress, in February, 1844, had passed a bill to reduce it to seventeen per cent.; but the president, in order to sustain the government, vetoed the act. Had it been approved, it would have reduced the annual income thirty thousand dollars. This indirect revenue, though exceedingly onerous to the western section of the country, was absolutely necessary to supply the wants of the government. It was more heavily felt in western Texas, because the facilities for smuggling along the line of the Sabine and Red rivers were such, that the eastern portion of the republic paid but a small amount of duties.

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* Anson Jones to Isaac Van Zandt, July 13, 1844.

The effects of immigration and improvement were visible over the whole country. The pacific policy of the administration had given comparative security to the frontiers, and immigrants were opening farms and laying out settlements high up in the valleys of the Texan rivers. Among the means employed by the government for hastening the settlement of its waste lands was that of *colony contracts.* In pursuance of an act of Congress, President Lamar entered into a contract, on the 30th of August, 1841, with W. S. Peters and others, for the introduction of six hundred families into Texas within three years.* Afterward, two supplemental contracts were made, the time extended, and the number of families to be introduced increased to eight hundred.† Again, on the 20th of January, 1843, another contract was made with C. F. Mercer and others, as assignees of Peters and others. A year afterward, another contract was entered into with Mercer and his associates.‡ On the 15th of February, 1842, a contract was made with Henri Castro and John Jassaud for the introduction of six hundred families within three years.‖ On the 7th of June, 1842, a contract was concluded with Henry F. Fisher and Burchard Miller, to introduce a like number of families within the same time. It is scarcely necessary to say that, in all these contracts, with the exception of those of Castro and Jassaud, and Fisher and Miller, the government was badly treated. The contractors generally incurred no expense, and put themselves to little trouble, further than to give notice, which the government could have done with more effect. Yet the announcements thus made public, that lands would be given to colonists who should settle them, brought many immigrants to the Texan frontiers. Being unaided and unprotected by the contractors, who seemed only to be interested in their premium lands, the colonists did the best they could. The result of these contracts, upon the whole, has been unfavorable to Texas, especially since the act of annexation, as new immigrants have found the country encumbered with these old claims.

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* Act of January 4, 1841, section 4.

† Supplemental contracts of November 20, 1841, and July 26, 1842.

‡ January 29, 1844.

‖ By joint resolution, January 27, 1845, two years more were given for the preformance of the contract.

The election for president and vice-president of Texas was held, under the constitution, on the first Monday in September, 1844. The candidates before the people for the first office were Dr. Anson Jones, secretary of state under Houston's administration, and General Edward Burleson, the vice-president. Dr. Jones was elected. Colonel K. L. Anderson was chosen vice-president, with only a nominal opposition. The result was considered as a popular approval of the pacific policy of the pending administration, as that was made a question.

The Texan prisoners taken at Mier had been still suffering at Perote. Occasionally, one or two were released, at the special request of some one; but on the 16th of September, 1844, the remainder, one hundred and four in number, were liberated by Santa Anna. He had recently lost his wife, and obtained permission from the Mexican Congress to retire for a while to *Manga de Clavo*, to mourn over his bereavement. He left the capital on the 12th of September; and it is probable that, on the way, his reflections upon the late severe visitation of his hearthstone inspired him with this act of mercy. The released captives returned to their homes, where they were joyfully received.

The republic of Texas, from a state of disorder and turmoil, had become peaceable and prosperous. The invasion by the Mexicans, so long threatened, had become a bugbear at which no one was alarmed. To the orderly disposition of the country, however, there was one exception—the war of the "*Regulators*" and "*Moderators*." Of the long list of worthies who had occupied the *neutral ground*, there was still a remnant left, living mostly in the county of Shelby and the adjoining territory of Louisiana. Their ranks had been increased by refugees from the United States, driven thence by the bankrupt-law of 1841, and by events connected with the presidential campaign of the previous year. After the opening of the Texan land-office in 1838, the profits arising from the sale of head-right certificates suggested the idea of their manufacture on a large scale. The board of land-commissioners for Shelby county were found suitable instruments for this business. It was not, however, confined to this county, but the focus of their operations was here. These operations were not limited to the sale of forged head-rights, but included the free circulation of counterfeit money, and depredations upon the property of other people. The first open outbreak occurred in 1842. Charles W. Jackson, formerly of Kentucky, who had been running a steamboat on the Mississippi and lower Red rivers, for some crime had disappeared from his business, and set up a mercantile house at Shreveport, Louisiana. A party of men, seeing a reward offered for Jackson, arrested him, and placed him on a vessel bound for New Orleans. He, however, made his escape, and returned to Shreveport before his captors, where he gathered his friends around him, and, when the former returned, a battle was fought between the parties, in which Jackson succeeded in killing some of his enemies and driving the others out of the place. To avoid further trouble, Jackson fled to Shelby county, in Texas, where he ran as a candidate for representative to Congress, but was defeated, as he declared, by the makers of the head-right certificates. He gave notice to the land-office at Austin of their dealings; in consequence of which he received a letter from Joseph Goodbread, notifying him that, if he did not desist from meddling with what did not concern him, he would be killed; and that, if no one else would do it, the writer would. Shortly afterward, Jackson presented the letter to Goodbread in the town of Shelbyville, and in a moment after shot him down. Jackson was called to answer for this offence, but moved the trial to the adjoining county of Harrison. As the cause produced great excitement, a large number of armed men attended the court, but mostly on Jackson's side. On the second day of the term, Judge Hansford, whose duty it was to try the cause, failed to make his appearance; in fact, he had abandoned the court, leaving Jackson and his party masters of the field.* The latter proceeded with his friends, and arrested the chief-justice of Panola county and some others, and sent them to Louisiana, to be tried for some offence committed there. After some other acts of this character in that section of the country, the law became only a passive looker-on, while men followed with impunity their own passions and appetites. Captain Jackson and his party had now associated together to *regulate* society, and to punish stealing, robbery, and like offences. But the offenders were men of genius: for their own protection, many of them joined the *regulators;* and, as new converts are distinguished by their zeal, many honest men thus lost their property and their lives. To counteract the bad effect of these operations, a company of *moderators* was organized, and such of the desperadoes as had not joined the *regulators* fell into their ranks. Thus, in a short time, Shelby county, and portions of surrounding counties, together with a part of Louisiana, were arrayed against each other. The strife had gradually become more exciting for four years, when, in the summer and fall of 1844, it became necessary for the government to interpose, to prevent civil war. President Houston accordingly ordered General Smith to raise a portion of the militia, and repair to the scene of anarchy. Some five hundred of the government forces assembled there; and, by a prudent and firm course of conduct, the belligerents were induced to lay down their arms and submit to the laws.*

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* Memoranda of Captain Ephraim Doggett.

The presidential election in the United States resulted in the success of Polk and Dallas by a majority in the electoral college of sixty-five votes. This was to the world an assurance of the incorporation of Texas into the American Union. Accordingly, joint resolutions for the annexation of Texas to the United States passed the house of representatives on the 25th of February, 1845, by a vote of one hundred and twenty to ninety-eight. On the 1st of March, they passed the senate, by a vote of twenty-seven to twenty-five; and, on the same day, President Tyler had the high honor of giving them his official sanction.†

The result of this act on the part of the federal Congress had a happy effect on the public mind. Those who had opposed the measure began now to look at it with other eyes, and all agreed that the United States could not do without Texas. Among those most rejoiced was the venerable ex-president Jackson. He had watched the struggle of the infant republic since 1835 with an earnest solicitude; and when the question of annexation came up, he viewed the act as necessary to carry out the "Monroe doctrine," and prevent foreign intermeddling with the affairs of this continent. When he received the news of the final passage of the resolutions, he thus wrote to General Houston: "I congratulate you, I congratulate Texas and the United States, on this glorious result, on which depended the safety and prosperity of both Texas and the United States. The Congress of the United States (with the president) has reannexed Texas to our glorious Union as far as she could without the consent of Texas, which all the democracy of this Union believe will be speedily yielded by the people of Texas, through her constituted authorities. I now behold the great American eagle, with her stars and stripes, hovering over the lone star of Texas, with cheering voice welcoming it into our glorious Union, and proclaiming to Mexico and all foreign governments, 'You must not attempt to tread upon Texas!'—that 'the united stars and stripes now defend her.' Glorious result! in which you, general, have acted a noble part; and your name is now recorded among the heroes, the patriots, and philanthropists.

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* Wat Moorman was captain of the *regulators*, and John M. Bradley of the *moderators*. Moorman killed Bradley at the church-door in San Augustine, just at the close of divine service, one evening in the summer of 1844, and retired to Shelby county. A writ for his arrest was placed in the hands of the sheriff of that county. Moorman resisted, and was sustained by the *regulators*; the *moderators* rallied around the sheriff, to aid in his capture. Thus the two parties, numbering about one hundred and seventy-five on each side, were arrayed against each other. They fortified, and for some weeks were under arms, during which period there were about fifty persons killed and wounded. The militia, being ordered out, captured Moorman, and dispersed the combatants. Moorman was killed by Dr. Burns, two or three years afterward, as he was crossing the Sabine.—*Notes of Captain William M. Simpson.*

† Statesman's Manual, vol. ii., p. 1427. This was the first vote in the house. The resolutions were amended in the senate, and when returned to the house the amendment was concurred in on the 28th of February, 1845, by a vote of one hundred and thirty-two to seventy-six.—*C. H. Raymond to E. Allen, February* 18, 1845.

"You have yet more to do: you have now to lay the basis, by proper legislation, and remodelling your constitution, for the future greatness, wealth, and prosperity, of your state—and first, by proper legislation, to guard and protect the morals of your people. *Keep us from temptation!*—this is the text. To this end, you must shut the door against all foreign grants for land, guarding all grants issued by the constituted authorities of Texas; all others to be barred by positive law. You must with care husband your vacant land to meet your national debt; and, after that is paid, provide for the prosperity of your state by funds for education and the improvement of the country. By guarding your unappropriated lands against all frauds —by issuing scrip, bearing interest at three per cent., to the amount of your debt, it will soon be paid; by placing a minimum price on your lands, and granting, with proper guards and limitations, pre-emption rights to actual settlers, you will soon pay off your public debt, and have more wealth left than any state in our Union.

"But, to protect your morals, and to cap the climax of your prosperity, and protect the labor of your country, you must provide in your constitution, by a *positive provision*, that your legislature never shall establish a bank, or any corporation whatever, with a power to issue paper; that no banks shall be established by the legislature except on a specie basis, and then only with the powers of receiving deposites, and exchange. There never was nor ever could be use for any other kind, except for speculators and gamblers in stocks, and this to the utter ruin of the labor and morals of a country. A specie currency gives life and action to the producing classes, on which the prosperity of all is founded."*

The people of Texas were not ungrateful to General Jackson for the interest he took in their welfare. By a joint resolution, approved on the 21st of June, 1845, the Texan Congress tendered him "the unfeigned gratitude of a nation." At that time, however, their illustrious friend had ceased to live.†

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* Jackson to Houston, March 12, 1845.

† At the close of the letter above quoted, General Jackson expressed a feeble hope of seeing General Houston and family at the Hermitage in the summer. The following letter to President Polk will explain the result:—

"HERMITAGE, *June 8, 1845—12 o'clock at night.*

"MY DEAR SIR: In deep sorrow I address you this hasty note. At six o'clock this evening, General Jackson departed this life. He retained his faculties to the

President Jones was inaugurated on the 9th day of December, 1844. Neither the president, nor the ninth Texan Congress, which adjourned its session on the 3d of February, 1845, said anything on the subject of annexation. Both parties probably believed it was in as good a condition as they could desire it. In the meantime, another change had occurred in Mexico, and General Herrera, who belonged to the federal and peace party, came to the presidency. He released Colonel Navarro, the only remaining Texan prisoner in the republic, and gave other indications of his desire for peace. At length, the Mexican Congress authorized Herrera to open negotiations and conclude a peace with Texas, on condition that she would not be annexed to the United States. This arrangement was brought about through the agency of the British and French governments; and, on the 19th of May, the preliminary articles were signed by the Mexican government, transmitted through the French minister in Mexico to Captain Elliot, the British *chargé d'affaires* in Texas, and by him laid before the Texan government on the 2d day of June. On the 4th, President Jones presented these facts to the people by his proclamation, at the

very last hour. I lament that I was denied the satisfaction of seeing him in his last moments. I was unfortunately delayed in ascending the Mississippi, so that I did not reach Nashville till half-past six this evening. I immediately procured a conveyance, and came out with my family—having understood that the general's health was exceedingly precarious, and being anxious to administer, if I could, some comfort in the closing scene of his eventful life. On my way, a few miles from the city, I met the family physician, who informed me that the general was no more.

"About three hours before his departure, he conversed for some time with his family, and took an affectionate leave of them, as also of his domestics. His physician represented the scene as most affecting, and remarked that he departed with perfect serenity, and with full faith in the promises of salvation through the Redeemer.

"I have seen the corse since my arrival: the visage is much as it was in life. His funeral will take place on Tuesday, at eleven o'clock, A. M. A nation will feel his loss, as a nation has received the fruits of his toils during the best years of his life. Very truly your friend, "SAM HOUSTON."

same time declaring a cessation of hostilities between the two countries. On the 15th of May previous, he had called a convention of sixty-one delegates, to meet on the 4th of July ensuing, to consider the propositions for annexation; also an extra session of the ninth Congress, to meet on the 16th of June, in order to give the consent of the republic to the anticipated convention. The Congress, by a joint resolution, approved June 23, 1845, gave its consent to the joint resolutions of the American Congress; also to the convention, as called by President Jones. The latter body assembled, ratified the act of annexation, formed a constitution as a state of the Union, and submitted the whole to the Texan people. It was approved by them; and the lone star of Texas, after a struggle of ten years, was gathered under the folds of the glorious banner of the Union.

Here our labors end. Texas came into the Union for the love she bore it. While it prospers, Texas will prosper: their wars, their hopes, and their glory, are henceforth the same. And it is the ardent wish and prayer of every good man that the same God, who guided the young republic through so many trials, will continue to bless that Union of which she now forms a part.

APPENDIX NO. I.

OFFICIAL CORRESPONDENCE

OF THE

COMMANDER-IN-CHIEF OF THE TEXAN ARMY, IN 1835–'6.

[The following is not an entire collection of the official correspondence of the commander-in-chief during the winter and spring of 1835–'6, but only of so much of it as is deemed most important, and which is not set out in the notes to this history.]

INDEX TO THE LETTERS, ETC.

No. 1.	To Captain Wylie Martin	San Felipe,	November	24,	1835.
2.	To the General Council	" "	December	4,	"
3.	To Thomas Hughes	" "	"	"	"
4.	To the Public	" "	December	5,	"
5.	To Governor Smith	" "	"	"	"
6.	Proclamation	Washington,	December	12,	"
7.	To Governor Smith	San Felipe,	"	17,	"
8.	To Colonel James Bowie	" "	"	"	"
9.	To Governor Smith	Washington,	December	26,	"
10.	To Colonel Powers	"	"	28,	"
11.	To Governor Smith	"	"	30,	"
12.	To Governor Smith	"	January	6,	1836.
13.	To Captain Cook	Goliad,	"	17,	"
14.	To Governor Smith	"	"	"	"
15.	To Major R. C. Morris	Refugio,	"	20,	"
16.	To Governor Smith	Washington,	"	30,	"
17.	Army Orders	"	March	2,	"
18.	To Colonel J. W. Fannin	Gonzales,	"	11,	"
19.	Order to Colonel Fannin	"	"	"	"
20.	To Captain Dimit	"	"	12,	"

No. 21.	To James Collingsworth	Gonzales,	March	13,	1836.
22.	To the same	Navidad,	"	15,	"
23.	To the same	Burnham's,	"	17,	"
24.	To Colonel Fannin	Colorado,	"	"	"
25.	To Thomas J. Rusk	Beason's,	"	21,	"
26.	To the same	"	"	23,	"
27.	To the same	"	"	"	"
28.	To B. J. White	"	"	"	"
29.	To R. R. Royal	"	"	24,	"
30.	To Thomas J. Rusk	Mill Creek,	"	29,	"
31.	To Colonel William Christy	"	"	"	
32.	To Thomas J. Rusk	West of Brasos,	"	31,	
33.	To the same	On the Brasos,	April	1,	
34.	To the same	"	"	3,	"
35.	To the same	"	"	4,	"
36.	To Captain Mosely Baker	"	"	5,	"
37.	To David Thomas	"	"	6,	"
38.	To Captain J. N. Allen	"	"	8,	"
39.	To David Thomas	"	"	9,	"
40.	To the same	"	"	11,	"
41.	To the Citizens of Texas	"	"	13,	"
42.	To David Thomas	Groce's,	"	"	"
43.	To Colonel Nathaniel Robbins	"	"	"	"
44.	To Colonel Henry Raguet	Harrisburg,	"	19,	"
45.	To President Burnet	San Jacinto,	"	25,	"
46.	Secretary Rusk's Report of the Battle of the 21st of April,		"	22,	"

No. 1.

To Captain Wylie Martin.

San Felipe de Austin, *November* 24, 1835.

My Dear Sir: In accordance with our last conversation, I take pleasure in explaining my views, if they can, in any possible event, be of service to our country or countrymen.

If, in the range of human occurrences, it shall be proper or even necessary for the army of the people before Bexar to fall back, because of the men not being prepared with proper clothing for winter, and the want of necessary artillery and munitions of war, I would suggest to you the advantage of retiring in good order, and sending the cannon, baggage, and sick, in advance, so that they can at least reach the Cibolo under conduct of a strong guard, and a vigilant officer to command it, before the enemy takes up his line of march. It would seem, then, that the army should be formed in two divisions, one to pursue the route to La Bahia, and the other that of Gonzales There ought to be a sufficient force left at La Bahia to make a firm defence at that place, and all possible means used for that purpose.

Gonzales being, in my opinion, the most important interior key to Texas (proper), should also be placed in a condition for defence, with a force of from one to two hundred placed there, under a firm and prudent commander, who will at once establish discipline and organization; and, using the greatest vigilance, retaining a few horses to keep out scouts. This, it seems to me, must be a rallying-point for Texas. . . . . . Your friend,

SAM HOUSTON.

No. 2.

To the President and Members of the General Council of Texas.

HEADQUARTERS, SAN FELIPE DE AUSTIN, *December* 4, 1835.

GENTLEMEN: I have the honor very respectfully to call your attention to the first article of the organic law of Texas, which provides for a military force for the defence of Texas, to wit: "There shall be a regular army for the protection of Texas during the present war." The provisional government will at once perceive the impracticability of my discharging the duties devolving upon me, as the commander-in-chief of the army, until the officers of the several corps of the army are appointed, the bounty of the men established, and the volunteers placed on such footing as will inspire them with confidence in the cause of Texas.

I deem it of importance to the existence of the provisional government, as well as to the cause of Texas, that an immediate organization of the army should take place. Some time since, I had the honor to address the governor of Texas on the subject of a proclamation, which may be of importance to our internal as well as our auxiliary relations.

So soon as the army is organized by the council, I will delay no time in raising an army, and meet the enemy on the earliest day possible. Munitions of war, with provisions and supplies for the army to be organized, are not yet contracted for. . . .

With great respect, I have the honor to be

Your obedient servant,

SAM HOUSTON,

Commander-in-Chief of the Forces of Texas.

No. 3.

To Mr. Thomas Hughes.

Headquarters, San Felipe de Austin, *December* 4, 1835.

Sir: . . . By the first of March next, or earlier if possible, I would, in behalf of the provisional government of Texas, be happy to accept the services of at least three thousand five hundred volunteers for during the war, or even for a less period.

Sam Houston,
Commander-in-Chief, &c.

No. 4.

To the Public.

San Felipe de Austin, *December* 5, 1835.

I regret to learn that a report is on the road between this place and Nacogdoches, to the effect that there is no need of troops in the army at this time. Troops are and will be wanted at San Antonio, and on the frontiers, until the army can be filled, so as to open the campaign at the earliest day possible. . . . . .

I hope San Antonio is already taken. If so, volunteers will be needed to keep it; as also to strengthen La Bahia. It will be well for the men to bring clothing with them.

It was also reported that provisions were not plenty in camp. This may have been true; but there are large quantities in the vicinity of San Antonio, of which our army has the control.

Sam Houston.

No. 5.

To His Excellency Henry Smith, Governor of Texas.

Sir: I have the honor respectfully to call your attention to the subject of a speedy organization of the regular army. The organic law has provided for the immediate raising of such force, and the general council has said what corps shall compose the same. It is required of me to raise the regular army without delay. I feel the responsibility of my situation, at a time when every effort should be exerted and means used to accomplish an object so necessary to the defence, and, I apprehend, the salvation of Texas. I must remain under the conviction, however, that all essential power to meet the requisitions of the organic law is withheld from me.

It is true the officers of the infantry regiment have been appointed by the general council, but the field-officers proper to command and superintend the several recruiting-stations have not been appointed.

The regiment of artillery, so necessary for the defence of our sea-coast, as well as for field-service, has no basis on which it can be raised. No officers are appointed, and it will be impossible for me ever to enlist the rank and file until that is done. An army never has been raised for regular service until the officers have been appointed. The regiments of the United States army were all completely officered before a man was enlisted in the ranks. It can not be objected that merit will be forestalled by filling the several corps at this time. It must have been contemplated by the framers of the organic law that the army would be immediately organized out of the materials then in Texas.

Unless the officers are appointed at an early day, it will be impossible to have an army at the opening of the campaign — which, in my opinion, can not be delayed, with safety to the country, longer than the 20th of February, or 1st of March, at farthest.

If only a portion of the officers should be appointed, I apprehend the organization of the army will be incomplete, and the intention of the law unanswered. The necessities of the country seem to require a complete organization. We must have an army, or abandon all hope of defending the country. The letters from Santa Anna and the functionaries of the central government, recently intercepted, are calculated to arouse every generous heart in Texas to active and obstinate resistance. An army of the enemy, amounting to ten thousand men, with suitable munitions of war, must be met and vanquished, or Texas will be overwhelmed for years to come. Union and confidence among ourselves, and a generous support of the army, will achieve everything that is desirable to freemen. Until a full complement of officers is appointed for the regular army, it is impossible that one can be raised.

I take pleasure in assuring your excellency that I will at all times hold myself accountable for the means placed at my disposal for the defences of the country, and the result of our cause. But it must be obvious to all that in the same ratio in which the necessary and proper means are withheld from me, so must my responsibility be diminished.

Permit me to implore you most earnestly to give your attention to the subjects herein very respectfully submitted.

I have the honor to be your obedient servant,

Sam Houston.

No. 6.

Proclamation of Sam Houston, Commander-in-Chief of the Army of Texas.

Headquarters, Washington, Texas, *December* 12, 1835.

Citizens of Texas: Your situation is peculiarly calculated to call forth all your manly energies. Under the republican constitution of Mexico, you were invited to Texas, then a wilderness. You have reclaimed and rendered it a cultivated country. You solemnly swore to support the constitution and its laws. Your oaths are yet inviolate. In accordance therewith you have fought with the liberals against those who sought to overthrow the constitution in 1832, when the present usurper was the champion of liberal principles in Mexico. Your obedience has manifested your integrity. You have witnessed with pain the convulsions of the interior, and a succession of usurpations. You have experienced in silent grief, the expulsion of your members elect from the state Congress.

You have realized the horrors of anarchy and the dictation of military rule. The promises made to you have not been fulfilled Your memorials for the redress of grievances have been disregarded; and the agents you have sent to Mexico have been imprisoned for years, without enjoying the rights of trial agreeably to law. Your constitutional executive has been deposed by the bayonets of a mercenary soldiery, while your Congress has been dissolved by violence, and its members, either fled, or were arrested by the military force of the country. The federation has been dissolved, the constitution declared at an end, and centralism has been established. Amid all these trying vicissitudes, you remained loyal to the duty of citizens, with a hope that liberty would not perish in the republic of Mexico. But while you were fondly cherishing this hope, the dictator required the surrender of the arms of the civic militia, that he might be enabled to establish on the ruins of the constitution, a system of policy which would for ever enslave the people of Mexico. Zacatecas, unwilling to yield her sovereignty to the demand which struck at the root of all liberty, refused to disarm her citizens of their private arms. Ill-fated state! Her power, as well as her wealth aroused the ambition of Santa Anna, and excited his cupidity. Her citizens became the first victims of his cruelty, while her wealth was sacrificed in payment for the butchery of her citizens. The success of the usurper determined him in exacting from the people of Texas submission to the central form of government; and, to enforce his plan of despotism, he despatched a military force to invade the colonies, and exact the arms of the inhabitants. The citizens refused the demand, and the invading force was increased. The question then was, "Shall we resist the oppression and live free, or violate our oaths, and bear a despot's stripes?" The citizens of Texas rallied to the defence of their rights. They have met four to one, and, by their chivalry and courage, have vanquished the enemy with a gallantry and spirit which is characteristic of the justice of our cause.

The army of the people is now before Bexar, besieging the central army within its wall. Though called together at the moment, the citizens of Texas, unprovided as they were in the necessary munitions of war and supplies for an army, have maintained a siege for months. Always patient and untiring in their patriotism and zeal in the cause of liberty, they have borne every vicissitude of season and every incident of the soldier, with a contempt of peril which reflects immortal honor on the members of the army of the people.

Since our army has been in the field, a consultation of the people, by their representatives, has met, and established a provisional government. This course has grown out of the emergencies of the country; the army has claimed its peculiar care. We are without law, and without a constitutional head. The provisional executive and the general council of Texas are earnestly engaged in the discharge of their respective duties, preparing for every exigency of the country; and I am satisfied, from their zeal, ability, and patriotism, that Texas will have everything to hope, from their exertions in behalf of the principles which we have avowed.

A regular army has been created, and liberal encouragement has been given by the government. To all who will enlist for two years, or during the war, a bounty of twenty-four dollars and eight hundred acres of land will be given. Provision has also been made for raising an auxiliary volunteer corps, to constitute part of the army of Texas, which will be placed under the command, and subject to the orders of the commander-in-chief. The field for promotion will be open. The terms of service will be various. To those who tender their services for, or during the war, will be given a bounty of six hundred and forty acres of land; an equal bounty will be given to those who volunteer their services for two years; if for one year, a bounty of three hundred and twenty acres; and to those who may volunteer for a shorter period, no bounty of land will be given, but the same liberal pay, rations, &c., will be allowed them as other members of the army. The rights of citizenship are extended to all who will unite with us in defending the republican principles of the constitution of 1824.

Citizens of Texas, your rights must be defended. The oppressors must be driven from our soil. Submission to the laws and union among ourselves will render us invincible; subordination and discipline in our army will guaranty to us victory and renown. Our invader has sworn to exterminate us, or sweep us from the soil of Texas. He is vigilant in his work of oppression, and has ordered to Texas ten thousand men to enforce the unhallowed purposes of his ambition. His letters to his subalterns in Texas have been intercepted, and his plans for our destruction are disclosed. Departing from the chivalric principles of civilized warfare, he has ordered arms to be distributed to *a portion of our population*, for the purpose of creating in the midst of us a *servile* war. The hopes of the usurper were inspired by a belief that the citizens of Texas were disunited and divided in opinion; that alone has been the cause of the present invasion of our rights. He shall realize the fallacy of his hopes, in the union of her citizens, and their ETERNAL RESISTANCE to his plans against constitutional liberty. We will enjoy our birthright, or *perish in its defence.*

The services of five thousand volunteers will be accepted. By the first of March next, we must meet the enemy with an army worthy of our cause, and which will reflect honor upon freemen. Our habitations must be defended; the sanctity of our hearths and firesides must be preserved from pollution. Liberal Mexicans will unite with us. Our countrymen in the field have presented an example worthy of imitation. Generous and brave hearts from a land of freedom have joined our standard before Bexar. They have, by their heroism and valor, called forth the admiration of their comrades in arms, and have reflected additional honor on the land of their birth. Let the brave rally to our standard.

SAM HOUSTON, *Commander-in-Chief of the Army.*

No. 7.

To Governor Henry Smith.

HEADQUARTERS, SAN FELIPE DE AUSTIN, *December* 17, 1835.

SIR: On yesterday I had the honor to receive your order, directing the establishment of the headquarters of the army at Washington. It will give me pleasure to obey the order at the earliest possible moment.

In the meantime, I do most earnestly solicit the attention of your excellency to the subject of an appropriation to cover the recruiting contingencies of the army. And I would beg leave to suggest the necessity of establishing a system of accountability in all its disbursing departments; requiring ample security of all the officers, who may be intrusted with funds, agreeably to the system established in the United States, if the provisions of the organic law are not sufficient.

More than a month has now elapsed since the adjournment of the consultation, and the army is not yet organized; and, though I have ordered some officers on the recruiting service, it has been on my own responsibility.

It is extremely painful to me to feel what I am compelled to experience, and believe to exist. I have never failed to render any information, when called on by the chairman of the military committee, and to furnish such books as he wished for his instruction. Yet, I am constrained to believe that he has interposed every possible obstacle to the organization of the army; and, so far as I am identified with it, to delay the placing of Texas in a proper state of defence.

To arrive at this conclusion, it is only necessary to advert to a report which he made on the subject of the speedy organization of the army. In the report, he took the liberty (though entirely unnecessary) of using remarks of a personal character toward myself. The honorable the general council deemed them so indecorous that they were stricken out of the report. To account for this course on the part of the chairman is not necessary.

I am careless of whatever individual feelings may be entertained toward me: but as a functionary of the government, placed in the most responsible situation, and so necessary to the salvation of the country, I am constrained to invoke and to hope for the necessary co-operation in discharge of the duties which I owe to the country and its laws. I am ready to make any and every sacrifice which my relations to the country may require of me.

This communication is induced by no other feeling than a sincere desire to point out the difficulties which are thrown in the way of all my exertions to promote the cause of the country; and, at the same time, to vindicate myself against the charge of neglect of duty, or any want of the most devoted zeal in behalf of Texas.

I have the honor to be, with great consideration,

Your obedient servant,

Sam Houston,

Commander-in-Chief, &c.

No. 8.

To Colonel James Bowie.

[Army Orders.] Headquarters, San Felipe, *December* 17, 1835.

Sir: In obedience to the order of his excellency Henry Smith, governor of Texas, of this date, I have the honor to direct that, in the event you can obtain the services of a sufficient number of men for the purpose, you will forthwith proceed on the route to Matamoras, and, if possible, reduce the place and retain possession until further orders. Should you not find it within your power to attain an object so desirable as the reduction of Matamoras, you will, by all possible means, conformably to the rules of civilized warfare, annoy the troops of the central army; and reduce and keep possession of the most eligible position on the frontier, using the precaution which characterizes your mode of warfare. You will conduct the campaign. Much is referred to your discretion. Should you commence the campaign, you will, from time to time, keep the government advised of your operations, through the commander-in-chief of the army. Under any circumstances, the port of Copano is important.

If any officers or men, who have, at any time, been released on *parole*, should be taken in arms, they will be proper subjects for the consideration of a court-martial. Great caution is necessary in the country of an enemy.

Sam Houston,

Commander-in-Chief.

No. 9.

To Governor Smith.

HEADQUARTERS, WASHINGTON, *December* 26, 1835.

TO YOUR EXCELLENCY: I have the honor of reporting my arrival here on yesterday, and my finding here Captain Wyatt, with a company or detachment, consisting of less than fifty-six men, from Huntsville, Alabama; also Captain King, with about eighteen men, from Paducah, Kentucky, with rifles—Captain Wyatt having fifty first-rate United States muskets. Under the restrictions of the law, I find myself under the most painful difficulties in accepting the services of these volunteers. I will do the best I can for the country, while I render justice to them. I found in the ranks great discontent, and a disposition to abandon our cause. To-day I have spent much time in explaining all matters to them. I hope they are satisfied. . . . . .

To-day there has been an arrival in six days from San Antonio, which reports all quiet, but no discipline. Ere this I hope my order has reached them, and will have a proper effect with the command. It is said that Bowie will be here to-morrow. Should he come to San Felipe, I hope your excellency will be kind enough to order him to this point, as I can furnish him with a copy of the order which I forwarded to him by your excellency's order.

I have the honor, &c.,

SAM HOUSTON, *Commander, &c.*

No. 10.

To Colonel Powers.

WASHINGTON, TEXAS, *December* 28, 1835.

DEAR COLONEL: Colonel Wyatt, with two detachments of auxiliary volunteers, is on his way to the vicinity of Copano, for the purpose of protecting that point, so essential to the present posture of our affairs. I hope that you will afford him all possible intelligence, and render to him all necessary aid.

. . . . . Colonel Wyatt will relieve Captain Allen, who will repair to New Orleans, and return by the first of March. Say to our friends that, by the rise of grass, we will be on the march. . . . .

SAM HOUSTON.

No. 11.

To Governor Henry Smith.

HEADQUARTERS, WASHINGTON, *December* 30, 1835.

SIR: I have the honor to enclose to you a muster-roll of Captain P. S. Wyatt, and one also from Captain King. Both the company and detachment are under the command and subject to the orders of Captain Wyatt. I have had much difficulty in getting them to volunteer for any definite period. But the ordinance left a discretion with me to accept their services for such time as I "might think the good of the service required." I did think it necessary to specify some certain time, and that time, I conceived, ought not to be less than three months; if so, it would be burdensome to the country, without any corresponding benefit. I think they will eventually all volunteer for during the war. They are all on the march for Copano, where I design they shall be stationed until further orders. To-day I sent despatches to Velasco and Matagorda, with orders to Lieutenant Eaton to act as assistant quartermaster-general, to furnish supplies to all troops landing on the gulf, on their way to Copano. I have herewith enclosed to your excellency a copy of the order, having sent a special order to Lieutenant Eaton of prior date.

I beg leave to remark that, by the time I can hold an Indian talk, and arrange matters for safety in the rear of the army, and return to this point, and spend a few days here, leaving a capable officer in command at this place, as also at other points, I will be ready, should there be the slightest necessity for my presence at Copano or on the frontier, to repair instantly to the point where I may be needed.

In the meantime, I pray that your excellency will not permit the suggestions of those who neither know nor can appreciate my duties (or the necessity of my occupying, until the campaign opens, a central position), to induce your excellency to believe that I can be necessary, and ought to be, where a subordinate can discharge every duty.

You may rely on it that a subaltern, whom I would leave in command at this point, would have more important duties devolving upon him than those which would be confided, at an outpost, to the major-general; while the general and the governor would be held responsible to the country for any and every failure or delinquency which might occur to the detriment of the army, or the defence of the country.

I have the honor, &c., **Sam Houston.**

P. S.—From news received to-day from the mouth of the Brasos (unofficial), I will be ready, on my return from the treaty, to set out with the staff of the army (with your excellency's order), in three days, for Copano, or Matamoras.

No. 12.

To Governor Henry Smith.

Headquarters, Washington, *January* 6, 1836.

Sir: I have the honor to enclose to your excellency the report of Lieutenant-Colonel J. C. Neill, of the artillery; and most respectfully request that you will render to the cause of Texas and humanity the justice of bestowing upon it your serious attention, and referring it to the general council of the provisional government, in secret sessi[illegible] These, I may be permitted to hope, you will attend in person, th[illegible]l the essential functionaries of the government may deliberate, and adopt some course that will redeem our country from a state of deplorable anarchy. Manly and bold decision alone can save us from ruin. I only require orders, and they shall be obeyed. If the government now yields to the unholy dictation of speculators and marauders upon human rights, it were better that we had yielded to the despotism of a single man, whose ambition might have been *satisfied* by our unconditional submission to his authority, and a pronouncement, for which we were asked, in favor of his power.

In the present instance, the people of Texas have not even been consulted. The brave men who have been wounded in the battles of Texas, and the sick from exposure in her cause, without blankets or supplies, are left neglected in her hospitals; while the needful stores and supplies are diverted from them, without authority and by self-created officers, who do not acknowledge the only government known to Texas and the world.

Within thirty hours I shall set out for the army, and repair there with all possible despatch. I pray that a confidential express may meet me at Goliad; and, if I shall have left, that it may pursue me wherever I may be.

No language can express my anguish of soul. Oh, save our poor country!—send supplies to the wounded, the sick, the naked, and the hungry, for God's sake! What will the world think of the authorities of Texas? Prompt, decided, and honest independence, is all that can save them, and redeem our country. I do not fear—I will do my duty.

I have the honor, &c.,
SAM HOUSTON.

No. 13.

To Captain Cook, of the San Antonio Grays.

HEADQUARTERS, GOLIAD, *January* 17, 1836.

SIR: I have the pleasure to acknowledge the tender of your services, and those of your company, to Texas, for the term of three months. The same are accepted, in behalf of Texas, with pleasure, for the term of three months. . . . . .

I have the honor, &c.,
SAM HOUSTON.

No. 14.

To Governor Henry Smith.

HEADQUARTERS, GOLIAD, *January* 17, 1836.

SIR: I have the honor to send, for your information, the enclosed from Lieutenant-Colonel J. C. Neill, under date of the 14th instant. Colonel Bowie will leave here in a few hours for Bexar, with a detachment of from twenty to fifty men. Captain Patton's company, it is believed, is now there. I have ordered the fortifications in the town of Bexar to be demolished; and, if you should think well of it, I will remove all the cannon and other munitions of war to Gonzales and Copano, blow up the Alamo, and abandon the place, as it will be impossible to keep up the station with the volunteers. The sooner I can be so authorized, the better it will be for the country. In an hour I will take up the line of march for Refugio mission, with a force of about two hundred and nine effective men, where I will await orders from your excellency. I do not believe that the army, of such a small force, should advance upon Matamoras, with a hope or belief that the Mexicans will co-operate with us.

I have no confidence in them: the disaster at Tampico should teach us a lesson to be noted in our future operations.

I have learned that Colonel Gonzales is somewhere on the Nueces with one hundred and seventy men, but accounts vary as to their actual number. I am told they are to co-operate in the eastern confederacy.

I will leave Captain Wyatt in command at this post, until I can relieve him with thirty-five regulars now at Refugio. I pray your excellency to cause all the regulars now enlisted to be formed into companies, and marched to headquarters. It will be impossible to keep up garrisons with volunteers. Do forward the regulars. Captain Smith had been relieved, and I met him on his way home. To-day, Captain Patton will return to the Lavaca country, and bring on a company as soon as possible. I have sent to Captain Dimit to raise one hundred or more men, and march to Bexar forthwith—if it should be invested; if not, to repair to headquarters with his command. Captain Patton will do likewise. I would myself have marched with a force to Bexar, but the Matamoras fever rages so high, that I must see Colonel Ward's men. You can have no idea of the difficulties I have encountered. Patton has told you of the *men* that make the trouble. Better materials never were in ranks. The government and all its officers had been misrepresented to the army.

I pray you send me copies of Austin's letters, or rather extracts. If the council are in session, I do wish they would say something about the confederacy. Please send me frequent expresses, and advise me of your pleasure.

I have the honor, &c.,
SAM HOUSTON.

No. 15.

To Major R. C. Morris.

HEADQUARTERS, REFUGIO, *January* 20, 1836.

GENERAL HOUSTON will be happy to see Major R. C. Morris, at Captain Westover's, whenever it will suit his convenience, as he wishes to make some communications, through him, to the volunteers at this post.

No. 16.

To Governor Henry Smith.

Municipality of Washington, *January* 30, 1836.

Sir: I have the honor to report to you that, in obedience to your order under date of the 6th inst., I left Washington on the 8th, and reached Goliad on the night of the 14th. On the morning of that day I met Captain Dimit, on his return home with his command, who reported to me the fact that his *caballada* of horses (the most of them private property) had been pressed by Dr. Grant, who styled himself acting commander-in-chief of the federal army, and that he had under his command about two hundred men. Captain Dimit had been relieved by Captain P. S. Wyatt, of the volunteers, from Huntsville, Alabama. I was also informed by Major R. C. Morris that breadstuff was wanted in camp; and he suggested his wish to remove the volunteers farther west. By express, I had advised the stay of the troops at Goliad until I could reach that point.

On my arrival at that post, I found them destitute of many supplies necessary to their comfort on a campaign. An express reached me from Lieutenant-Colonel Neill, of Bexar, of an expected attack from the enemy in force. I immediately requested Colonel James Bowie to march with a detachment of volunteers to his relief. He met the request with his usual promptitude and manliness. This intelligence I forwarded to your excellency, for the action of government. With a hope that supplies had or would immediately reach the port of Copano, I ordered the troops, through Major R. C. Morris, to proceed to Refugio mission, where it was reported there would be an abundance of beef—leaving Captain Wyatt and his command, for the present, in possession of Goliad, or until he could be relieved by a detachment of regulars under the command of Lieutenant Thornton, and some recruits that had been enlisted by Captain Ira Westover. On the arrival of the troops at Refugio, I ascertained that no breadstuffs could be obtained, nor was there any intelligence of supplies reaching Copano, agreeably to my expectations, and in accordance with my orders of the 30th of December and 6th of January inst. directing the landing and concentrating all the volunteers at Copano. I had also advised Colonel A. Huston, the quartermaster-general, to forward the supplies he might obtain at New Orleans to the same point. Not meeting the command of

Major Ward, as I had hoped from the early advice I had sent him by Major George W. Poe, I determined to await his arrival and the command of Captain Wyatt. With a view to be in a state of readiness to march to the scene of active operations at the first moment that my force, and the supplies necessary, could reach me, I ordered Lieutenant Thornton with his command (total twenty-nine) to Goliad, to relieve Captain Wyatt; at the same time ordering the latter to join the volunteers at Refugio. I found much difficulty in prevailing on the regulars to march until they had received either money or clothing; and their situation was truly destitute. Had I not succeeded, the station at Goliad must have been left without any defence, and abandoned to the enemy, whatever importance its occupation may be to the security of the frontier. Should Bexar remain a military post, Goliad must be maintained, or the former will be cut off from all supplies arriving by sea at the port of Copano.

On the evening of the 20th, F. W. Johnson, Esq., arrived at Refugio, and it was understood that he was empowered, by the general council of Texas, to interfere in my command. On the 21st, and previous to receiving notice of his arrival, I issued an order to organize the troops so soon as they might arrive at that place, agreeably to the "ordinance for raising an auxiliary corps" to the army. A copy of the order I have the honor to enclose herewith. Mr. Johnson then called on me, previous to the circulation of the order, and showed me the resolutions of the general council, dated 14th of January, a copy of which I forward for the perusal of your excellency.

So soon as I was made acquainted with the nature of his mission, and the powers granted to J. W. Fannin, jr., I could not remain mistaken as to the object of the council, or the wishes of individuals. I had but one course left for me to pursue (the report of your being deposed had also reached me), which was, to return, and report myself to you in person—inasmuch as the objects intended by your order were, by the *extraordinary* conduct of the council, rendered useless to the country; and, by remaining with the army, the council would have had the pleasure of ascribing to me the evils which their own conduct and acts will, in all probability, produce. I do consider the acts of the council calculated to protract the war for years to come; and the field which they have opened to insubordination, and to *agencies* without limit (unknown to military usage), will cost the country more useless expenditure than the necessary expense of the whole war would have been had they not transcended their proper duties. Without integrity of purpose, and well-devised measures, our whole frontier must be exposed to the enemy. All the available resources of Texas are directed, through *special* as well as *general agencies*, against Matamoras; and must, in all probability, prove as unavailing to the interest as they will to the honor of Texas. The regulars at Goliad can not long be detained at that station, unless they should get supplies; and now all the resources of Texas are placed in the hands of *agents* unknown to the government in its formation, and existing by the mere will of the council; and will leave all other objects, necessary for the defence of the country, neglected, for the want of means, until the meeting of the convention in March next.

It was my wish, if it had been possible, to avoid for the present the expression of any opinion which might be suppressed in the present crisis. But since I reported to your excellency, having had leisure to peruse all the documents of a controversial nature growing out of the relative duties of yourself and the general council to the people of Texas, a resolution of the council, requiring of me an act of insubordination and disobedience to your orders, demands of me that I should inquire into the nature of that authority which would stimulate me to an act of treason, or an attempt to subvert the government which I have sworn to support. The only constitution which Texas has is the "organic law." Then any violation of that law, which would destroy the basis of government, must be treason. Has treason been committed? if so, by whom, and for what purpose? The history of the last few weeks will be the best answer that can be rendered.

After the capitulation of Bexar, it was understood at headquarters that there was much discontent with the troops then at that point, and that it might be necessary to employ them in some active enterprise, or the force would dissolve. With this information was suggested the expediency of an attack on Matamoras. For the purpose of improving whatever advantages might have been gained at Bexar, I applied to your excellency for orders, which I obtained, directing the adoption of such measures as might be deemed best for the protection of the frontier and the reduction of Matamoras. This order was dated 17th of December; and on the same date I wrote to Colonel James Bowie, directing him, in the event he could obtain a sufficient number of volunteers for the purpose, to make a descent on Matamoras; and, if his force would not justify that measure, he was directed to occupy the most advanced post, so as to check the enemy, and by all means to place himself in a situation to command Copano. Colonel Bowie did not receive the order: having left Goliad for Bexar, he was not apprized of it until his arrival at San Felipe, about the first of January instant. My reason for ordering Colonel Bowie on the service was, his familiar acquaintance with the country, as well as the nature of the population through which the troops must pass, as also their resources; and to this I freely add that there is no man on whose forecast, prudence, and valor, I place a higher estimate than Colonel Bowie.

Previous to this time, the general council had adopted a resolution requiring the governor to direct the removal of the headquarters of the army, and I had been ordered to Washington, for their establishment, until further orders. I had been detained, awaiting copies of the ordinances relative to the army. Their design was manifest, nor could their objects be misapprehended, though the extent to which they were then carrying them was not known. Messrs. Hanks and Clements were engaged in writing letters to individuals at Bexar, urging and authorizing a campaign against Matamoras; and, that their recommendation might bear the stamp of authority, and mislead those who were unwilling to embark in an expedition not sanctioned by government, and led by private individuals, they took the liberty of signing themselves members of the military committee; thereby deceiving the volunteers, and assuming a character which they could only use or employ in the general council, in proposing business for the action of that body. They could not be altogether ignorant of the impropriety of such conduct, but doubtless could easily find a solid justification in the bullion of their patriotism and the ore of their integrity. Be their motive whatever it might, many brave and honorable men were deluded by it, and the campaign was commenced upon Matamoras, under Dr. Grant, as "acting" commander-in-chief of the volunteer army—a title and designation unknown to the world. But the general council, in their address to the people of Texas, dated January 11th, state that "they never recognised in Dr. Grant any authority whatever as an officer of the government, or army, at the time." They will not, I presume, deny that they did acknowledge a draft, or order, drawn by him, as *acting commander-in-chief*, amounting to seven hundred and fifty dollars. But this they will doubtless justify, on the ground that your excellency commissioned General Burleson, and, of course, the appointment of Dr. Grant, as his aide-de-camp, would authorize him to act in the absence of General Burleson. It is an established principle in all armies that a staff-officer can claim no command in the line of the army, nor exercise any command in the absence of the general, unless he holds a commission in the line. In the absence of General Burleson, the senior colonel — or, in the absence of the colonel, the major — or, in his absence, the senior captain — would have the command; but in no event can the *aide*, or staff-officer, unless he holds a commission in the line of the army, have any command; and his existence must cease, unless he should be continued or reappointed by the officer of the line who succeeds to the command, in the absence of his superior. When General Burleson left the army, his aide had no command, but the field-officer next in rank to himself. Then, who is Dr. Grant? Is he not a Scotchman, who has resided in Mexico for the last ten years? does he not own large possessions in the interior? has he ever taken the oath to support the organic law? is he not deeply interested in the hundred-league claims of land which hang like a murky cloud over the people of Texas? is he not the man who impressed the property of the people of Bexar? is he not the man who took from Bexar, without authority, or knowledge of the government, cannon and other munitions of war, together with supplies necessary for the troops at that station, leaving the wounded and the sick destitute of needful comforts? Yet this is the man whose outrages and oppressions upon the rights of the people of Texas are sustained and justified by the acts and conduct of the general council!

Several members of that body are aware that the interests and feelings of Dr. Grant are opposed to the independence and true interests of the people of Texas. While every facility has been afforded to the meditated campaign against Matamoras, no aid has been rendered for raising a regular force for the defence of the country, nor one cent advanced to an officer or soldier of the regular army, but every hinderance thrown in the way. The council had no right to project a campaign against any point or place. It was the province of the governor, by his proper officers, to do so. The council had the right of consenting or objecting, but not of projecting. The means ought to be placed at the disposition of the governor; and if he, by himself, or his officers, failed in their application, while he would be responsible for the success of the armies of Texas, he could be held responsible to the government, and punishable: but what recourse has the country upon agents who have taken no oath, and given no bonds to comply with the powers granted by the council?

The organic law declares, in article third, that "the governor and general council have power to organize, reduce, or increase, the regular forces;" but it delegates no power to create army-agents, to supersede the commander-in-chief, as will be seen by reference to the second article of the "military" basis of that law. After declaring that there shall be a regular army for the protection of Texas during the present war, in the first article, it proceeds in the second to state the constituents of that army: "The regular army of Texas shall consist of one major-general, who shall be commander-in-chief of all the forces called into public service during the war." This, it will be remembered, is a law from which the council derive their powers; and, of course, all troops in service since the adoption of this law, and all that have been accepted, or to be accepted during my continuance in office, are under my command. Consequently, the council could not create an *agency* that could assume any command of troops, so as to supersede my powers, without a plain and palpable violation of their oaths. New names given could not change the nature of their obligations: they had violated the "organic law."

I will now advert to an ordinance of their own body, entitled "an ordinance and decree to organize and establish an auxiliary volunteer corps of the army of Texas," &c., passed December 5, 1835. The ordinance throughout recognises the competency of the governor and commander-in-chief as the only persons authorized to accept the services of the volunteers, and makes it their especial duty to do so. It also gives the discretion to the commander-in-chief to accept the services of the volunteers for such term as "he shall think the defence of the country and the good of the service require." It is specified that muster-rolls shall accompany the reports of volunteers, and, when reported by the commander-in-chief to the governor, that commissions shall issue accordingly. Where elections take place in the volunteer corps, the ordinance declares that they shall be certified to the commander-in-chief, and by him forwarded to the governor. The third section of the law declares that when controversies arise in relation to the rank of officers of the same grade, they shall be determined "by drawing numbers, which shall be done by order of the commander-in-chief of the army." This law was enacted by the general council, and they can not allege that any misconstruction could arise out of it; for it plainly points out the duties of the governor and commander-in-chief, as defined by themselves. Yet, without the repeal of this law, they have proceeded to appoint agents to exercise the very powers declared by them to belong to the governor and commander-in-chief! This they have done, under the impression that a *change of names* would enable them to put down the governor and the commander-in-chief, not subject to them for their places, but created by the consultation, and both of whom are as independent of the council as the council is of them—the commander-in-chief being subject to the organic law, and all laws conformable thereto, under the orders of the governor. I have obeyed the orders of your excellency as promptly as they have met my knowledge; and had not the council, by acts as outrageous to my feelings as they are manifestly against law, adopted a course that must destroy all hopes of an army, I should yet have been on the frontier, and, by all possible means, I would at least have sought to place it in a state of defence.

It now becomes my duty to advert to the subject of the powers granted by the general council to J. W. Fannin, jr., on the 7th of January, 1836; and at a time when two members of the military committee, and other members of the council, were advised that I had received orders from your excellency to repair forthwith to the frontier of Texas, and to concentrate the troops for the very purpose avowed in the resolutions referred to. The powers are as nearly illegal as they were unnecessary. By reference to the resolutions, it will be perceived that the powers given to J. W. Fannin, jr., are as comprehensive in their nature, and as much at variance with the organic law and the decrees of the general council, as the decrees of the general Congress of Mexico are at variance with the federal constitution of 1824, and really delegate to J. W. Fannin, jr., as extensive powers as those conferred by the Congress on General Santa Anna. Yet the cant is kept up, even by J. W. Fannin, jr., against the *danger* of a regular army; while he is exercising powers which he must be satisfied are in open violation of the organic law. J. W. Fannin, jr., is a colonel in the regular army, and was sworn in and received his commission on the very day that the resolutions were adopted by the council. By his oath he was subject to the orders of the commander-in-chief, and, as a subaltern, could not, without an act of mutiny, interfere with the general command of the forces of Texas; yet I find, in the "Telegraph" of the 9th inst., a proclamation of his, dated on the 8th, addressed, "Attention, volunteers," and requiring them to rendezvous at San Patricio. No official character is pretended by him, as his signature is private. This he did with a knowledge that I had ordered the troops from the mouth of the Brasos to Copana, and had repaired to that point to concentrate them. On the 10th inst., F. W. Johnson issued a similar proclamation, announcing Matamoras as the point of attack. The powers of both these gentlemen were derived, if derived at all, from the general council, in opposition to the will of the governor; because certain purposes were to be answered, or the safety and harmony of Texas should be destroyed.

Colonel Fannin, in a letter addressed to the general council, dated on the 21st of January, at Velasco, and to which he subscribes himself, "J. W. Fannin, jr., agent provisional government," when speaking of anticipated difficulties with the commander-in-chief, allays the fears of the council, by assuring them that, "I shall never make any myself;" and he then adds, "The object in view will be the governing principle, and should General Houston be ready and willing to take command, and march direct ahead, and execute your orders, and the volunteers to submit to it, or a reasonable part of them, I shall not say nay, but will do all in my power to produce harmony." How was I to become acquainted with the orders of the council? Was it through my subaltern? It must have been so designed—as the council have not, up to the present moment, given me any official notice of the orders to which Colonel Fannin refers. This modesty and subordination on his part, is truly commendable in a subaltern, and would imply that he had the right to "say nay." If he has this power, whence is it derived? Not from any law,—and contrary to his sworn duty as my subaltern, whose duty is obedience to my lawful commands, agreeably to the rules and regulations of the United States army, adopted by the consultation of all Texas. If he accepted any appointment incompatible with his *obligation* as a colonel in the regular army, it certainly increases his moral responsibilities to an extent which is truly to be regretted.

In another paragraph of his letter, states: "You will allow that we have too much division, and one cause of complaint is this very expedition, and that it is intended to remove General Houston." He then assures the council that no blame shall attach to him, but most dutifully says to them, "I will go where you have sent me, and will do what you have ordered me, if possible." The order of the council, as set forth in the resolutions appointing Colonel Fannin agent, and authorizing him to appoint as many agents as he might think proper, did most certainly place him above the governor and the commander-in-chief of the army—nor is he responsible to the council, or the people of Texas. He is required to report, but he is not required to obey the council. His powers are as unlimited and absolute as Cromwell's ever were. I regard the expedition, as now ordered, an individual, and not a national measure. The resolutions passed in favor of J. W. Fannin, jr. and F. W. Johnson, and their proclamations, with its original start—Doctor Grant—absolve the country from all responsibility for its consequences. If I had any doubt on the subject, previous to having seen, at Goliad, a proclamation of J. W. Fannin, jr., sent by him to the volunteers, I could no longer entertain one, as to the campaign, so far as certain persons are interested in forwarding it. After appealing to the volunteers, he concluded with the assurance that "*the troops should be paid out of the first spoils taken from the enemy.*" This, in my opinion, connected with the extraordinary powers granted to him, by the council, divests the campaign of any character save that of a piratical or predatory war.

The people of Texas have declared to the world, that the war in which they are now engaged, is a war of principle, in defence of their civil and political rights. What effect will the declaration above referred to have on the civilized world, when they learn that the individual who made it has since been clothed with absolute powers by the general council of Texas; and that, because you refused to ratify their acts, they have declared you no longer the governor of Texas? It was stated by way of inducement to the advance on Matamoras, that the citizens of that place were friendly to the advance of the troops of Texas upon that city. They, no doubt, ere this, have J. W. Fannin's proclamation (though it was in manuscript), and if originally true, what will now be their feelings toward men who "are to be paid out of the first spoils taken from the enemy"? The idea which must present itself to the enemy, will be, if the city is taken it will be given up to pillage; and when the spoils are collected, a division will take place. In war, when spoil is the object, friends and enemies share one common destiny. This rule will govern the citizens of Matamoras in their conclusions, and render their resistance desperate. A city containing twelve thousand souls will not be taken by a handful of men who have marched twenty-two days without bread-stuffs, or necessary supplies for an army. If there ever was a time when Matamoras could have been taken by a few men, that time has passed by. The people of that place are not aware of the high-minded and honorable men who fill the ranks of the Texan army. They will look upon them as they would look upon Mexican mercenaries, and resist them as such. They too will hear of the impressment of the property of the citizens of Bexar, as reported to your excellency, by Lieutenant-Colonel Neill, when Doctor Grant left that place for Matamoras, in command of the volunteer army.

If the troops advance upon Matamoras, there ought to be a co-operation by sea, with the land forces, or all will be lost; and the brave men who have come to toil with us in our marches, and mingle in our battles for liberty, will fall a sacrifice to the selfishness of some who have individual purposes to answer, and whose influence with the council has been such as to impose upon the honest part of its members; while those who were otherwise, availed themselves of every artifice which they could devise, to shield themselves from detection.

The evil is now done, and I trust sincerely, that the first of March may establish a government on some permanent foundation, where honest functionaries will regard and execute the known and established laws of the country, agreeably to their oaths. If this state of things can not be achieved, the country must be lost. I feel, in the station which I hold, that every effort of the council has been to mortify me individually, and, if possible to compel me to do some act which would enable them to pursue the same measures toward me, which they have illegally done toward your excellency, and thereby remove another obstacle to the accomplishment of their plans. In their attempts to embarrass me, they were reckless of all prejudice which might result to the public service from their lawless course.

While the council was passing resolutions affecting the army of Texas, and transferring to J. W. Fannin, jr. and F. W. Johnson the whole control of the army and resources of Texas, they could order them to be furnished with copies of the several resolutions passed by that body, but did not think proper even to notify the major-general of the army of their adoption; nor have they yet caused him to be furnished with the acts of the council relative to the army. True it is, that they passed a resolution to that effect, but it never was complied with. Their object must have been to conceal, and not to promulgate their acts. "They have loved darkness rather than light, because their deeds are evil."

I do not consider the council as a constitutional body, nor their acts lawful. They have no quorum agreeably to the organic law, and therefore I am compelled to regard all their acts as void. The body has been composed of seventeen members, and I perceive that the act of "suspension," passed against your excellency, was by only ten members present; the president *pro tem.* having no vote. Only ten members remain, when less than twelve members could not form a quorum agreeably to the organic law, which required two thirds of the whole body. I am not prepared to violate either my duty or my oath, by yielding obedience to an act manifestly unlawful, as it is, in my opinion, prejudicial to the welfare of Texas.

The lieutenant-governor, and several members of the council, I believe to be patriotic and just men; but there have been, and when I left San Felipe there were, others in that body on whose honesty and integrity the foregoing facts will be the best commentary. They must also abide the judgment of the people.

I have the honor to be, your excellency's

Obedient servant,

Sam Houston,

Commander-in-Chief of the Army.

No. 17.

Army Orders.

Convention Hall, Washington, *March* 2, 1836.

War is raging on the frontiers. Bexar is besieged by two thousand of the enemy, under the command of General Sesma. Reinforcements are on their march to unite with the besieging army. By the last report, our force in Bexar was only one hundred and fifty men. The citizens of Texas must rally to the aid of our army, or it will perish. Let the citizens of the east march to the combat. The enemy must be driven from our soil, or desolation will accompany their march upon us. *Independence is declared;* it must be maintained. Immediate action united with valor, can alone achieve the great work. The services of all are forthwith required in the field.

Sam Houston,
Commander-in-Chief of the Army.

P. S. It is rumored that the enemy are on their march to Gonzales, and that they have entered the colonies. The fate of Bexar is unknown. The country must and shall be defended. The patriots of Texas are *appealed to in behalf of their bleeding country.*

No. 18.

To Colonel J. W. Fannin, commanding at Goliad.

Headquarters, Gonzales, *March* 11, 1836.

Sir: On my arrival here this afternoon, the following intelligence was received through a Mexican, supposed to be friendly, though his account has been contradicted in some parts by another, who arrived with him. It is therefore only given to you as rumor, though I fear a melancholy portion of it will be found true.

Anselmo Borgara states that he left the Alamo on Sunday, the 6th inst.; and is three days from Arroche's *rancho:* that the Alamo was attacked on Sunday morning at the dawn of day, by about two thousand three hundred men, and carried a short time before sunrise, with a loss of five hundred and twenty-one Mexicans killed, and as many wounded. Colonel Travis had only one hundred and fifty effective men out of his entire force of one hundred and eighty-seven. After the fort was carried, *seven men* surrendered, and called for Santa Anna and for quarter. They were *murdered* by his order. Colonel Bowie was sick in bed, and also murdered. The enemy expect a reinforcement of fifteen hundred men under General Condelle, and a reserve of fifteen hundred to follow them. He also informs us that Ugartachea had arrived with two millions of specie for payment of the troops. The bodies of the Americans were burnt after the massacre. Alternate layers of wood and bodies were laid together and set on fire. Lieutenant Dickinson, who had a wife and child in the fort, after having fought with desperate courage, tied his child to his back and leaped from the top of a two story building. Both were killed by the fall.

I have little doubt but that the Alamo has fallen—whether the above particulars are all true may be questionable. You are therefore referred to the enclosed order.

I am, sir, &c., Sam Houston.

In corroboration of the truth of the fall of the Alamo, I have ascertained that Colonel Travis intended firing signal guns at three different periods each day until succor should arrive. No signal guns have been heard since Sunday, though a scouting party have just returned who approached within twelve miles of it, and remained there forty-eight hours.

No. 19.

[ORDER REFERRED TO ABOVE.]

To Colonel J. W. Fannin, commanding at Goliad.

Headquarters, Gonzales, *March* 11, 1836.

Sir: You will, as soon as practicable after the receipt of this order, fall back upon Guadalupe Victoria, with your command, and such artillery as can be brought with expedition. The remainder will be sunk in the river. You will take the necessary measures for the defence of Victoria, and forward one third the number of your effective men to this point, and remain in command until further orders.

Every facility is to be afforded to women and children who may be desirous of leaving that place. Previous to abandoning Goliad, you will take the necessary measures to blow up that fortress; and do so before leaving its vicinity. The immediate advance of the enemy may be confidently expected, as well as a rise of water. Prompt movements are therefore highly important.

Sam Houston,
Commander-in-Chief of the Army.

No. 20.

To Captain Philip Dimit.

Headquarters, Texas, *March* 12, 1836.

Sir: You are ordered with your command to this place—bring all your disposable force—and, should there be any companies, or troops, at Victoria, whose services are not indispensable to the present emergencies of that section of the frontier, you will notify them that it is my order that they forthwith repair to this point. Colonel J. W. Fannin is ordered to fall back on Victoria, after blowing up La Bahia. You will send expresses to headquarters as often as practicable.

I am, &c., SAM HOUSTON.

No. 21.

To James Collingsworth, Chairman of the Military Committee.

HEADQUARTERS, GONZALES, *March* 13, 1836.

SIR: I have the honor to report to you my arrival at this place, on the 11th inst., at about four o'clock, P. M. I found upward of three hundred men in camp, without organization, and who had rallied on the first impulse. Since then the force has increased to more than four hundred. I have ordered their organization at ten o'clock this morning; and hope to complete it, and prepare to meet the enemy.

The enclosed statement, which came here a few moments after my arrival, has induced me to adopt a course very different from that which I intended before the information was received. The enclosed order to Colonel Fannin will indicate to you my convictions, that, with our small, unorganized force, we can not maintain sieges in fortresses, in the country of the enemy. Troops pent up in forts are rendered useless; nor is it possible that we can ever maintain our cause by such policy. The want of supplies and men, will insure the success of our enemies.

The conduct of our brave men in the Alamo was only equalled by Spartan valor.

I am informed that Colonel Fannin had about seven hundred men under his command; and, at one time, had taken up the line of march for the Alamo, but the breaking down of a wagon induced him to fall back, and abandon the idea of marching to the relief of our last hope in Bexar. Since then, he has written letters here, indicating a design to march upon San Patricio, and also the occupation of Copano. So that I am at a loss to know where my express will find him. From the Colorado I forwarded, by this place, an express to him to meet me, with all his disposable force, on the west side of the Cibolo, with a view to relieve Bexar. The news of the fall of Bexar, corroborated by so many circumstances, compelled me to change my plan, as the enclosed order will indicate. On seeing the various communications of Colonel Fannin at this point, I could not rely on any co-operation from him. The force under my command here was such as to preclude the idea of my meeting the enemy—supposing their force not to exceed the lowest estimate which has ever been made of it. My reason for delaying my despatch until the present, was, the assurance of Captain Seguin, that two men had been sent by him to his *rancho*, and would return on last night. They have not returned; and the belief is, that they have been taken by the enemy, or deserted. I am using all my endeavors to get a company to send in view of the Alamo; and, if possible, arrive at the *certainty* of what all believe—its fall. The scarcity of horses, and the repulse of a party of twenty-eight men, the other day, within eighteen miles of Bexar, will, I apprehend, prevent the expedition.

This moment, Deaf Smith and Henry Kearnes have assured me, that they will proceed in sight of Bexar; and return within three days. The persons, whose statement is enclosed for your information, are in custody; and I will detain them, for the present, as spies.

I beg leave to suggest the great importance of fortifications on Live-Oak point and Copano, and the defence of Matagorda and Lavaca bays.

You may rest assured that I shall adopt and pursue such course of conduct as the present emergencies of the country require, and as the means placed at my disposal may enable me to do, for the defence of the country and the protection of its inhabitants.

The projected expedition to Matamoras, under the *agency* of the council has already cost us over two hundred and thirty-seven lives; and where the effects are to end, none can foresee. Doctor Grant's party, as well as Colonel Johnson's, have been murdered. Major Morris, as reported, was struck down with a lance, while gallantly fighting. Doctor Grant surrendered, and was tied by the enemy. Be pleased to send all possible aids to the army; and keep an eye to the coast.

Intelligence from the seat of government, if favorable, has a most happy effect upon the spirits of the men. Frequent expresses sent to me, may be highly beneficial to the army. I will, as often as possible, report by express the movements of the enemy, and the army. I fear La Bahia (Goliad) is in *siege*.

I have the honor, &c., SAM HOUSTON.

P. S. I have this moment learned that Captain Byrd's company, from the Brasos, consisting of one hundred men, will join me to-morrow.

No. 22.

To James Collingsworth, Chairman of Military Committee.

CAMP AT NAVIDAD, *March* 15, 1836.

SIR: Since I had the honor to address you from Gonzales, the lady of Lieutenant Dickinson, who fell at the Alamo, has arrived, and confirms the fall of that place, and the circumstances, pretty much as my express detailed them. She returned in company with two negroes—one the servant of Colonel Travis, the other a servant of Colonel Almonté. They both corroborate the statement first made and forwarded to you. Other important intelligence arrived at Gonzales—that the army of Santa Anna had encamped at the Cibolo on the night of the 11th inst., after a march of twenty-four miles that day. The army was to encamp on the 12th at Sandy, and proceed direct to Gonzales. The number of the enemy could not be ascertained, but was represented as exceeding two thousand infantry. Upon this statement of facts, I deemed it proper to fall back and take post on the Colorado, near Burnham's, which is fifteen miles distant from this point. My morning report, on my arrival in camp, showed three hundred and seventy-four effective men, without two days' provisions, many without arms, and others without any ammunition. We could have met the enemy, and avenged some of our wrongs; but, detached as we were, without supplies for the men in camp, of either provisions, ammunition, or artillery, and remote from succor, it would have been madness to hazard a contest. I had been in camp two days only, and had succeeded in organizing the troops. But they had not been taught the first principles of the drill. If starved out, and the camp once broken up, there was no hope for the future. By falling back, Texas can rally, and defeat any force that can come against her.

I received the intelligence of the enemy's advance between eight and nine o'clock at night; and, before twelve, we were on the march in good order, leaving behind a number of spies, who remained and were reinforced next morning by a number of volunteers and brave spirits from Peach creek. H. Karnes, R. E. Handy, and Captain Chenowith, have been very active. Only about twenty persons deserted the camp (from the first *sensation* produced by the intelligence) up to this time. I intend desertion shall not be frequent, and I regret to say that I am compelled to regard as deserters all who have left camp without leave; to demand their apprehension; and that, whenever arrested, they be sent to me at headquarters for trial. They have disseminated throughout the frontier such exaggerated reports, that they have produced dismay and consternation among the people to a most distressing extent.

I do not apprehend the immediate approach of the enemy upon the present settlements; I mean those on the Colorado, for the country west of it is an uninhabited waste. This season the grass refuses to grow on the prairies.

When the approach of the enemy was known, there were but two public wagons and two yoke of oxen in camp, and the few horses we had were very poor. I hope to reach the Colorado on to-morrow, and collect an army in a short time. I sent my aide-de-camp, Major William T. Austin, to Columbia this morning, for munitions and supplies, to be sent me immediately; and to order the troops now at Velasco to join me, provided they had not been previously ordered by you to fortify Copano and Dimit's landing. I am fearful Goliad is besieged by the enemy. My order to Colonel Fannin, directing the place to be blown up, the cannon to be sunk in the river, and to fall back on Victoria, would reach him before the enemy could advance. That they have advanced upon the place in strong force, I have no doubt; and when I heard of the fall of the Alamo, and the number of the enemy, I knew it must be the case.

Our forces must not be shut up in forts, where they can neither be supplied with men nor provisions. Long aware of this fact, I directed, on the 16th of January last, that the artillery should be removed, and the Alamo blown up; but it was prevented by the expedition upon Matamoras, the author of all our misfortunes.

I hope that our cruisers on the gulf will be active, and that Hawkins and ——— may meet the notice of the government. Let the men of Texas rally to the Colorado!

Enclosed you will receive the address of General Santa Anna, sent by a negro to the citizens. It is in Almonté's handwriting

Santa Anna was in Bexar when the Alamo was taken. His force in all, in Texas, is, I think, only five or six thousand men—though some say thirty thousand! This can not be true. Encourage volunteers from the United States—but I am satisfied we can save the country. Had it not been for the council, we would have had no reverses. We must have the friendship of the Camanches and other Indians.

Gonzales is reduced to ashes!

I have the honor, &c.,

SAM HOUSTON, *Commanding General.*

No. 23.

To James Collingsworth, Chairman of Military Committee.

BURNHAM'S, COLORADO, *March* 17, 1836.

SIR: To-day, at half-past four in the afternoon, I reached this point with about six hundred men, including my rear-guard, which is a few miles behind with the families, which were not known to be on the route as the army marched, and for which the guard were sent back.

It pains my heart that such consternation should have been spread by the deserters from camp. We are here; and, if only three hundred men remain on this side of the Brasos, I will die with them, or conquer our enemies. I would most respectfully suggest the assemblage of the troops at this point. It covers more of the country than any other known to me. When they are assembled, I will detach suitable numbers to each point as I may deem best. The Mexican army will not leave us in the rear. If they do, and find San Felipe in ashes, it will astound them. I am assured that the mules and horses of their army are miserably poor; and that there are several hundred women and children with the army, with a view to colonize Texas. If La Bahia was blown up, previous to their march upon it, I should be satisfied.

As to the state of the seaboard—keep the navy busy. To it we must look for *essential* aid. Would it not be well to send a special active agent to the United States—one who will act efficiently and promptly? Appeal to them in the holy names of liberty and humanity!

Our own people, if they would act, are enough to expel every

Mexican from Texas. Do let it be known that, on close examination, and upon reflection, the force of Santa Anna has been greatly overrated. He must have lost one thousand, or perhaps more, at the Alamo. It is said the officers have to whip and slash the soldiers on the march. And, if they should advance to the Colorado, it will be some time, as there is such scanty subsistence for animals. I have had the impression that the advance upon the Cibolo was to prevent our co-operation with Fannin, and hold us in check.

If you can by any means soothe the people, and get them to remain, they shall have notice, if I deem it necessary. Let them entertain no fears for the present. We can raise three thousand men in Texas, and fifteen hundred can defeat all that Santa Anna can send to the Colorado. We would then fight on our own ground, and the enemy would lose all confidence from our annoyance. Let the men from the east of the Trinity rush to us! let all the disposable force of Texas fly to arms! If the United States intend to aid us, let them do it now!

I shall raise a company of spies to-morrow, to range the country from this to Gonzales. Send all the good horses you can get for the army. If possible, let it be done speedily; and send ammunition for fifteen hundred men: but first send eight hundred men. I will do everything in my power for Texas.

I have the honor, &c.,

SAM HOUSTON.

P. S.—It is reported that General Woll, an Englishman, is to head the army into the colonies. I entertain a belief that Santa Anna has returned to Mexico, but it will not be known to the troops. In the attack upon the Alamo, the ramparts were swept twice, and the enemy as often repulsed; but Santa Anna was by, and urged the troops. He was not in danger. There was not a man in the Alamo but what, in his death, honored the proud name of an American. Let the men of Texas avenge their deaths! Rouse the Redlanders to battle! Ratify the Indian treaty; and let the Camanches be approached, and their friendship secured. A campaign from St. Louis, by way of Santa Fé, might be set on foot against Chihuahua. Remember Coxe's point, Dimit's landing, and Copano. They are important.

I know the government will do all in its power for the army. We want arms, and need stationary.

No. 24.

To Colonel J. W. Fannin.

[Army Orders.] HEADQUARTERS, COLORADO RIVER, *March* 17, 1836.

COLONEL J. W. FANNIN, jr, will take a position on the bay of Lavaca, or any other point best calculated for the protection of the provisions, ammunition, &c., at Coxe's point and Dimit's landing. The army now near Burnham's, on the Colorado, will remain for a time, and, according to circumstances, fall down the river. Colonel Fannin will therefore hold himself in constant readiness to join the commander-in-chief. The Redlanders are already in motion, and will join the army as soon as possible. Regulars and volunteers are also on their march to headquarters.

If Colonel Fannin can not maintain his position, he will fall back on the main army—the object of the movement now ordered being only for the protection of the arms, ammunition, &c. The present force on the Colorado numbers four hundred and twenty effective men.

Should a permanent fortification be necessary on the bay of Lavaca, or other point, for the protection of the stores, &c., Colonel Fannin will judge of the expediency (with the command under him) of erecting them. The commanding general, not having a detailed report of his force, can only order that such measures shall be taken as will be best for the good of the service and the protection of the country.

Stock of all descriptions will be driven to the east side of the Colorado.

SAM HOUSTON.

No. 25.

To Thomas J. Rusk, Secretary of War.

HEADQUARTERS, CAMP NEAR BEASON'S, *March* 21, 1836.

SIR: I am ordered by the commander-in-chief to acknowledge the receipt of your letters dated 16th and 17th inst., and to inform you of the movement of the army to this place. I have also the pleasure to add that, on yesterday, a detachment of our spies, under Captain Karnes, fell in with a reconnoitring-party of the enemy at Rocky creek, about twenty miles from this place, consisting of twelve men. They were immediately pursued, one man killed, one taken prisoner, and three horses, with some arms, captured; also a pair of saddle-bags, containing a small portion of clothing, of some one murdered in the Alamo. Captain Karnes had with him, at the time, but five men. The prisoner states that one thousand men are on their march to this point, and will probably be near us to-night. A detachment of the army of the enemy has also marched from San Antonio to attack Goliad. Our army are in fine spirits and good health, not having one on our sick-list. They are eager to meet the enemy. To check their impetuosity is all that will be required. The enemy have three light pieces of artillery with them.

The commander-in-chief directs me to assure you of the vigilance and caution which will be used, and of his entire confidence in the army, and in its ability to render a good account of the enemy. Our spies are active and vigilant, and the enemy can gain no advantage over us. I am also directed to inform you of the pleasure he feels in reporting the complete subordination of the troops: it has never been surpassed by any army of like description in any country. Their anxiety to retrieve the misfortunes of the past is heard and witnessed throughout the camp. A detachment of a hundred men are now crossing the river to meet the enemy's advance, and every confidence may be placed in their entire success. Enclosed you will find Colonel Fannin's letter to me of — inst.

I have the honor, &c.,
G. W. HOCKLEY,
Inspector-General of the Army.

P. S.—The prisoner reports that General Santa Anna has left San Antonio for Mexico.

No. 26.

To Thomas J. Rusk, Secretary of War.

HEADQUARTERS OF THE ARMY, CAMP NEAR BEASON'S, *March* 23, 1836.

SIR: The commander-in-chief of the army directs me to acknowledge the receipt of your letter of the 19th inst., and inform you that he still maintains the position at this place, commanding the crossing of the Colorado at Mosely's, above Beason's, and *Atasco sito* below, and that he intends to remain stationary, unless offensive operations shall be justified by circumstances or reinforcements.

Captain Teal, of the regulars, with his command, arrived here yesterday; and a small detachment of volunteers, reinforcements, and supplies, are hourly expected. The party of spies, named in the communication to the war department, have been constantly on the alert. The company stationed at Mosely's have captured three of the enemy, who are now on their way to camp.

The enemy are undoubtedly near to the opposite bank, and will probably soon attempt crossing the Colorado; but, from our present position, we can effectually command any point at which he may attempt it. A detachment of two hundred men are now at Mosely's crossing. The camp will be reformed in a thick wood on the bank of the river, and in a position highly favorable for observation and defence, its present flanks and front being well protected by felled trees, brush, and timber.

The general further directs me to state the good order and discipline which have been observed since the formation of this encampment. The strict silence at night, the obedience and discipline now maintained, are unexampled in any troops of like description, and highly creditable to the officers and men. We have now upward of seven hundred men, and not one of them on the sick-list, but all in high spirits, and anxious to meet the foe. One wagon, with arms, ammunition, &c., has just arrived, which has increased their anxiety and confidence, as they now find the promised supplies.

The army are much in need of good horses; and, if sabres and pistols could be forwarded, we could furnish the material for an efficient corps of cavalry.

Since writing the above, two of the prisoners mentioned therein have been examined separately. They agree very nearly in their statements, an outline of which is as follows:—

"That General Sesma is on the opposite side of the river, about three miles from our encampment, with five or six hundred men—a hundred and fifty cavalry—and two small pieces of artillery. His troops are badly clad, and the state of the weather such as to render them almost ineffectual from cold. They are building a boat, and intend crossing near us."

They are evidently checked by the skirmish with our spies (named in a previous letter). The prisoners say that General Sesma halted the next day to rest. With our reinforcements, we shall be able to anticipate any the enemy may receive.

24th.—General Gregory, of North Carolina, Colonel Nibbs, and some other gentlemen from Washington, have this moment arrived in camp with Major Poe. They report about two hundred men on their march, who will join to-morrow.

I have the honor, &c.,

G. W. HOCKLEY,

Inspector-General of the Army.

No. 27.

[NOT OFFICIAL.]

To Colonel Thomas J. Rusk.

CAMP NEAR BEASON'S, *March* 23, 1836.

DEAR COLONEL: To-day I had the pleasure to receive your two letters by Mr. Walker. I thank you for them, and snatch a moment from the press of business to say a few things in compliance with your request, as well as to gratify my personal feelings. I have had no aid or assistance but my friend Hockley, who now fills your former station. By-the-by, I offer you my gratulations on your advancement. I trust you will find in me a worthy subaltern. You know I am not easily depressed, but, before my God, since we parted, I have found the darkest hours of my past life! My excitement has been so great, that, for forty-eight hours, I have not eaten an ounce, nor have I slept. I was in constant apprehension of a rout; a constant panic existed in the lines: yet I managed so well, or such was my good luck, that not a gun was fired in or near the camp, or on the march (except to kill beef), from the Guadalupe to the Colorado. All would have been well, and all at peace on this side of the Colorado, if I could only have had a moment to start an express in advance of the deserters; but they went first, and, being panic-struck, it was contagious, and all who saw them breathed the poison and fled. It was a poor compliment to me to suppose that I would not advise the convention of any necessity which might arise for their removal. I sent word and advices, the first moment of leisure, to the convention; and all was calm in my communications to Mr Collingsworth. I had to advise troops and persons of my falling back, and had to send one guard thirty miles for a poor blind widow (and six children), whose husband was killed in the Alamo. The families are now all on this side of the Guadalupe.

These things pained me infinitely, and, with the responsibility of my command, weighed upon me to an agonizing extent.

This moment an express has arrived, and states that Fannin took up his retreat on Saturday last (19th), and, a few miles from La Bahia, he was attacked by the Mexican army and surrounded about an hour and a half before sundown. The battle continued in the night, and the result is not known. The express states that Colonel Ward's command had not returned. I am at a loss to know how matters stand. I will try and make a good report for the future. The Matamoras policy, I hope, is now run out; and the evils, growing out of the conduct of the council, ended.

Changing this from a familiar to an official character, I must say that, if we are to meet an accession of force, which must be the case if Fannin is cut off, we must have the strength of the country. Arms and ammunition have just reached camp, and I hope what men we have will be well armed and supplied with fighting-materials.

Two spies have been taken to-day, and they report the force of the enemy in this quarter less than I had before heard it. Let the Mexican force be what it may, if the country will turn out, we can beat them. The retreat of the government will have a bad effect on the troops, and I am half-provoked at it myself. The Mexicans can not fight us upon anything like fair terms. . . . . I will get any advantage I can if I fight. If what I have heard from Fannin be true, I deplore it, and can only attribute the ill luck to his attempting to retreat in daylight in the face of a superior force. He is an ill-fated man.

Do all you can. The troops are in fine spirits, but how this news will affect them I know not. Our spies have taken two of the enemy to-day, but I have not yet had time to examine them. I will in a few moments.

24th.—I have examined the spies, and they represent the enemy much weaker than all former reports. They say Sesma has not more than seven hundred men, and one says six hundred.

I truly hope you will appoint Major Lewis agent for the Cherokees, and do it directly. . . . . Why do you keep more than a sergeant's or lieutenant's guard at Washington? Men are flocking to camp, and I expect, in a day or two, to receive two hundred volunteers and regulars. Forty-eight muskets and a supply of ammunition came opportunely last night. In a few days my force will be highly respectable. I am writing in the open air. I have no tent, and am not looking out for the luxuries of life. I am only looking out to be useful to my country and the cause of liberty. Do devise some plan to send back the rascals who have gone from the army and service of the country with guns. Oh, why did the cabinet leave Washington? . . . . .

I wish you would send A. M'Laughlin to the United States. Write to the board, and ratify the treaty. We must act now, and with great promptness. The country must be saved. Oh, curse the consternation which has seized the people! I must make many appointments for the present—*all special I will refer to you.* I am so busy, I must close. May God bless you! This morning I hear of men from the mouth of the river: they are on the march—you will hear from us

Ever yours truly,
SAM HOUSTON.

No. 28.

To Captain B. J. White.

CAMP AT BEASON'S FERRY, *March* 23, 1836.

SIR: If men can be obtained, you are ordered to repair to Coxe's point, or Dimit's landing, and remove or secure the supplies at those places. You are ordered to use and command all the means of the country in securing supplies, and removing the families, and placing them on the east side of the Colorado. You have much discretion left with you, and I hope you will employ it to the best advantage for the preservation of the country.

Of the army at this point, and in the neighborhood, Mr. Noble can tell you. The enemy are about fifteen miles from us. Their force is supposed to be only about a thousand.

Reinforcements are arriving daily, and more on the march.

Your obedient servant,
SAM HOUSTON,

I am informed that Colonel Wharton has sailed for Coxe's point, with some one hundred and fifty or two hundred men.

No. 29.

To R. R. Royal, Chairman of the Committee at Matagorda.

CAMP NEAR BRASON'S, *March* 24, 1836.

SIR: Your letter, under date of March 18th, is received. All the means you can command ought to be employed for the protection of the country, and families. Anything that can be done to this effect will meet my approbation.

All the troops that can be raised I wish placed at my disposal, as on the Colorado I make my stand, and it is deemed necessary to concentrate all the effective force at this point for the present.

Having the greatest confidence that, with the means you can control, you can defend that point, even in case of an attack,

I have the honor, &c.,

SAM HOUSTON.

No. 30.

To Thomas J. Rusk, Secretary of War.

CAMP NEAR MILL CREEK, *March* 29, 1836.

SIR: On my arrival on the Brasos, had I consulted the wishes of all, I should have been like the ass between two stacks of hay. Many wished me to go below, others above. I consulted none—I held no councils-of-war. If I err, the blame is mine. I find Colonel Hockley, of my staff, a sage counsellor and true friend. My staff are all worthy, and merit well of me.

There was on yesterday, as I understood, much discontent in the lines, because I would not fall down the river. If it should be wise for me to do so, I can cross over at any time, and fall down to greater advantage and safety. I apprehend, in consequence of my falling back, that the enemy may change their route to Matagorda. I ordered all the men residing on the coast, and those arriving from the United States at or south of Velasco, to remain and fortify at some safe point; and, on yesterday, I sent Colonel Harcourt, as principal engineer of the army, down to the coast, to erect fortifications at the most eligible point of defence. I placed at his disposal the resources of the lower country for its defence and protection.

I pray God that you would get aid, speedy aid, from the United States; or, after all inducements, we must suffer. I hope to-day to receive ninety men from the Red-lands. I can not now tell my force, but will soon be able. The enemy must be crippled by the fights they have had with our men. I have ordered D. C. Barrett and E. Gritton to be arrested and held subject to the future order of the government. I do think they ought to be detained and tried as traitors and spies.

For Heaven's sake, do not drop back again with the seat of government! Your removal to Harrisburg has done more to increase the panic in the country than anything else that has occurred in Texas, except the fall of the Alamo. Send fifty agents, if need be, to the United States. Wharton writes me, from Nashville, that the ladies of that place have fitted out, at their own expense, no less than two hundered men. . . . . .

If matters press upon us, for God's sake let the troops land at Galveston bay, and by land reach the Brasos! Let no troops march with baggage-wagons, or wagons of any kind.

Truly, &c., SAM HOUSTON.

To-day I send Captain Smith to you, agreeably to your order. Great prosperity to you and the country, &c.

No. 21.

To Colonel William Christy, New Orleans.

HEADQUARTERS, CAMP MILL CREEK, *March* 29, 1836.

DEAR SIR: I have ordered Captain David N. Burke and Edward Conrad to New Orleans, to procure men for the army of Texas. The present is probably the most important moment we have to experience. We now stand before the world as a nation, and stand almost alone. But for the assistance upon which we confidently rely from our brethren in the United States, we shall not be enabled to maintain the position we have assumed. With equal confidence I look to *you* for the immediate use of all the influence in your power to sustain our cause. I look to you as the most efficient and zealous agent of our country. Do exert all the talent and means you can command, for now is the time of need. Captain Burke and Mr. Conrad will bear this letter to you, with my orders: be good enough to render them all the assistance in your power.

I have the honor, &c.,

SAM HOUSTON.

No. 32.

To Thomas J. Rusk, Secretary of War.

CAMP WEST OF BRASOS, *March* 31, 1836.

SIR: I have the honor to report to you my arrival at this point, with a view to receive reinforcements and supplies. It is the best and nearest route to Harrisburg, or the Bay, at which I could have struck the Brasos, and it will prevent the whole country passing the Trinity. The force of the enemy has been greatly exaggerated, I have no doubt. But the deserters have spread universal alarm throughout the country.

I wish you to send flour, sugar, and coffee, on pack-horses, to this point, as soon as possible. Don't send by wagons; and let the pack-horses be well hoppled at night. My horses and baggage-wagons in camp give me all the care I have, except my general solicitude. One of my spies has just returned from a scout, and reports that he went ten miles beyond St. Bernard, on the road to Beason's, and saw nothing of the enemy. Two others went on, and said they would see the enemy if they had to cross the Colorado. Mr. E. Smith (Deaf) is out, and, if living, I will hear the truth and all important news.

For Heaven's sake, do allay the fever and chill which prevails in the country, and let the people from the east march to the camp! Supplies are needed on the route from Nacogdoches to this point. The enemy would have been beaten at the Colorado. My intention was, to have attacked him on the second night after the day on which the news of Fannin's destruction was reported by Kerr—but for that news, and the march of strong reinforcements, probably arriving that night, to the enemy. Previous to that, the troops were in fine spirits, and keen for action.

The reinforcements promised to our army never arriving, has kept us in a mood not so enviable as could be wished for. Send daily expresses to me, and do let me know what to rely upon. I must let the camp know something, and I want everything promised to be realized by them. I hope I can keep them together; I have, thus far, succeeded beyond my hopes. I will do the best I can; but, be assured, the fame of Jackson could never compensate me for my anxiety and mental pain.

I have the honor, &c., SAM HOUSTON.

P. S.—I have somewhere between seven and eight hundred effective men. Two nights since, when it was reported that the enemy were on this side of the Colorado, the citizens of San Felipe reduced it to ashes. There was no order from me for it.* I am glad of it, should the enemy march there. Our troops have suffered much from heavy rains and dreadful roads.

No. 33.

To Thomas J. Rusk, Secretary of War.

HEADQUARTERS, CAMP ON BRASOS, *April* 1, 1836.

SIR: I am directed by the commander-in-chief to inform you of the movement of the army to this place since the last communication to the department of war. From the detention in crossing Mill creek, the army did not reach this encampment until last evening. It is now, however, in a secure and effective position, with excellent water from a lake immediately ahead, and a most beautiful spot of the Brasos timber, about three fourths of a mile ahead, on the road leading to Groce's ferry. The weather for the last few days has been wet; from that circumstance, and the fact that the roads are in many places impassable for our wagons, the men have undergone great fatigue.

So soon as they can wash their clothing, and arrange their arms, &c., an entire organization of camp duty and discipline will be established, and the encampment reformed in order of battle, and camp rule and duty performed. This, in some degree, has been omitted since our march, as it has been in several instances a forced one. It has, however, been conducted, under the circumstances of the case, with much credit to the exertions of the officers and obedience of the men.

The steamboat Yellowstone, Captain ———, is at Groce's landing, taking in cotton. The commander-in-chief directed her to be taken in charge for the use of the army, in case it should be necessary rapidly to descend the river to act upon the enemy. Major Cook and a sufficient guard are now on board, and she will be detained until her services can safely be dispensed with. She is nearly loaded with cotton.

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* "It has been said you ordered the burning of San Felipe. I have contradicted it. I would like to be fully satisfied on the subject."—*David Thomas Acting Secretary of War, to General Houston, April* 8, 1836.

Last evening the commander-in-chief received information from Captain Mosely Baker, who has command at San Felipe, of the arrival of two of his spies, who report that the enemy have crossed the Colorado river at *Atasco sito* crossing, and were then in order of march. This information roused the army to an enthusiasm, which showed with what feeling they would meet his approach. But, late last night, other spies arrived at this encampment, who were also near that point; and, from their report, the major-general is led to believe that some mistake has occurred as to the persons seen being the enemy. Should the report prove to be correct, he can not reach this point, if such is his intention, for some days, because of the situation of the roads and starved condition of his horses and cattle. He has undoubtedly crossed the Colorado. About eighty men from the Red-lands are all that have arrived, and what hope to entertain of aid from that quarter it is impossible to say. The effective force now here is seven hundred and fifty to eight hundred men. One death only has occurred—caused by great exposure to wet and cold when crossing Mill creek. The troops are in good health.

From information received the evening after leaving San Felipe, the commander-in-chief ordered Peter Kerr—the individual who brought the intelligence of the defeat of Colonel Fannin into camp on the Colorada—to be taken. A guard was sent to San Felipe, and he was brought into camp next morning. A further communication from the major-general on this subject will accompany this.

I have the honor, &c.,

G. W. HOCKLEY,

Inspector-General.

A few cases of measles have been reported. A hospital has been established the other side of the Brasos, and the men sent over to it.

No. 34.

To Thomas J. Rusk, Secretary of War.

HEADQUARTERS, CAMP WEST OF BRASOS, *April* 3, 1836.

SIR: I arrived at this place on the first instant, and pitched my encampment in a secure position, in hopes that I should receive supplies, and more so, that I would be enabled to meet the enemy at any time, and under any circumstances which propriety might dictate. Since my location, rains have fallen; and it is possible the water may invade my encampment, and compel me to remove, either back to the prairie, or to pass over the river to the east side. If I do pass, it will only be to make my camp on a healthy site, secure from water, and to defend our horses from the enemy; for I find that no care whatever will be taken of horses, and if they fall into the enemy's hands it would add to his facilities.

My spies return and report the enemy only about one thousand strong on the Colorado, without pickets, and only a small camp-ground. My opinion is, that a detachment I sent to reconnoitre the enemy, will attack him to-night. The detachment was twenty in number, under the command of Major Patton, my aid-de-camp. They are among the best hearts of the army.

If I should pass the river, my design will be, should I quit a position opposite to this point, to drop down opposite Fort Bend, or some point below. The enemy would not have it in their power to pass the river for at least a month to come; and we could only cross with the aid of a steamboat, which I have pressed, and will retain till I can dispense with it.

If I should pass the river, I will leave my most effective cavalry on this side. I send you, in charge of Mr. Este, two prisoners, Peter Kerr, and Beregardo, a Mexican. I have nothing pointed against them; but suspicion has fallen upon them, and they are to be secured. You may rest easy at Harrisburg; the enemy will never cross the Brasos, and I hope the panic will soon subside. People are planting corn on the east side of this river.

Mr. Zavala has arrived and reported for duty. I am glad of it. He informed me that I should have the pleasure of seeing you; and indeed it would give me pleasure to do so. I have ordered the troops below to occupy some defensible positions below on the river, or coast, and check the enemy. Rumors from the Mexican interior of wars, or difficulty in passing the Colorado, have caused them to delay; and at this time it is almost impossible for them to pass the prairies, owing to the rains that have fallen since we passed — then it was only possible for us to pass with our wagons. If they come, their artillery must come. They must raft it over the Colorado, which is very high, as I am informed. It must be out of its banks.

I have looked for an express from you for several days. Eighty Redlanders have arrived, and are on the opposite bank. The arrival of others is daily expected.

I have the honor, &c., SAM HOUSTON.

No. 35.

To Thomas J. Rusk, Secretary of War.

HEADQUARTERS, CAMP WEST OF BRAZOS, *April* 4, 1836.

SIR: I have the honor to inform you that, by an express which reached me last night, I received intelligence that Colonel Fannin and his command had been attacked by a large body of Mexican cavalry and infantry, in the prairie, about eight miles east of San Antonio river, on his march from La Bahia to Victoria. The enemy were several times repulsed; the battle lasting until in the night. On the next morning the enemy fired several cannon-shots and hoisted a flag of truce, which was met by a corresponding signal from Colonel Fannin. The commanders met, and stipulated that the Americans, on condition of a surrender, should be treated as prisoners-of-war, and in eight days sent to New Orleans on parole. On the eighth day the prisoners were marched out under a guard (after having been kept in close confinement), a file of soldiers on each side of the prisoners. The guard then doubled files on the right of the prisoners, killing all but one, who make his escape. The enemy are said to have lost a thousand men in the action. . . . . . .

Will not our friends rush to the conflict, and at once avenge the wrongs which have been inflicted on our dauntless comrades? The day of just retribution ought not to be deferred. Send expresses to the coast and to the United States. The army is just organizing, and will soon be prepared. The last advices report that the enemy can not cross the Colorado—except a part of it—on account of high waters. Their delay is said, by others, to be owing to some difficulties in the interior, and a want of supplies.

San Felipe was reduced to ashes, but not by my order.

I have the honor, &c.,

SAM HOUSTON.

P. S. It was reported in camp, that you were coming to the army. As it is so reported, you had best come if possible. It will inspirit the troops. No express has reached me for some five days from Harrisburg. The army is in good spirits.

No. 26.

To Captain Mosely Baker.

HEADQUARTERS OF THE ARMY, CAMP WEST OF BRASOS, *April* 5, 1836.

SIR: I have heard, with extreme regret, complaints from various sources, of the destruction and waste of goods, stores, and public property, at San Felipe, and under your command. They may, perhaps, have been exaggerated; but every means in your power should have been used to preserve and protect the stores, until such were ordered to be destroyed; as it was totally impossible to send back the wagons across Mill creek. Captains Kimbrough and Bryant have been ordered to co-operate with you; and the utmost harmony of action, subordination, and discipline, must be observed. The safety of the country requires it, and the commanding general orders a rigid adherence to it.

SAM HOUSTON.

No. 27.

To David Thomas, acting Secretary of War.

CAMP WEST OF BRASOS, *April* 6, 1836.

SIR: Your letters of the 4th and 5th instant have this moment been received by express. Colonel Rusk arrived in camp on the evening of the 4th instant, and will probably remain for a few days longer. I am pleased to learn of the supplies being forwarded for the use of the army. They will be particularly acceptable. The present position of the army is one of strength and security, and from which the movements of the enemy can be vigilantly watched. My spies are remarkably active and intelligent, and shall be kept in constant action. They are much in want of good horses.

A deserter from the enemy was brought into camp last night. He confirms the report previously received, of the miserable condition of their troops; and adds, that much dissatisfaction prevails in their ranks, from the severity of treatment and deprivation of the necessaries of life. He shall be closely looked to, and the first favorable moment seized with avidity to effect his total defeat.

Intercepted documents received last winter, showed that Edward Gritton was a spy of Santa Anna, but that he had lost their confidence in part. These papers were seen by me after their seizure and translation. I have the honor, &c., SAM HOUSTON.

No. 28.

To Captain J. N. Allen.

CAMP WEST OF BRASOS, *April* 8, 1836.

SIR: Your communication under date of 4th instant is received. I am pleased to find you are on your march to join the army; and wish you to use all possible expedition in reinforcing us with your command and the cannon.

Assure the inhabitants generally that the army will not cross the Brasos, unless to act with more effect against the enemy; and that the most certain way of securing their property and families, is to repair to the army and drive the invader from the soil. Those who refuse to join us will have their property confiscated, and be regarded as deserters from our cause.

SAM HOUSTON.

No. 29.

To David Thomas, acting Secretary of War.

HEADQUARTERS, CAMP WEST OF BRASOS, *April* 9, 1836.

SIR: I have the honor to inform you that Peter Kerr, who was sent to Harrisburg some days since, had in his possession a letter from on board the Montezuma, written by a lieutenant, recommending said Kerr to general favor of Mexican officers; and stating that Kerr had befriended the Mexicans, but did not set forth particulars. These facts were known to many present in camp at the time, but never reached me until this moment. I do hope that all prisoners sent by me may be carefully kept, and, at least, prevented from mischief. It is unfortunate for us that the waters are so high as to prevent us from that activity which would be desirable. The enemy are not in such great force as was expected. Our numbers increase; and I hope you will hear well of us.

The enemy are firing at San Felipe to-day. I reinforced the post by forty-five men. They will now have at least one hundred and fifty men; and in the Brasos bottom they can not be driven back. The enemy have no idea of our force there, and can not suppose it to exceed, at that point, fifty men. To-day I send out a small party well versed in the use of the horse; and I hope to hear well of them.

Colonel Rusk is still here, and will, probably, remain during the crisis. To-day I am in good spirits, and hope to be in better. I have now organized two regiments, and doubt not but a brigade will be formed under orders of the secretary of war. I look for the waters to fall in the course of a day or so. The camp is healthy. The enemy is confident; and, I hope, so much the better for us. Wells, a spy, returned to-day; and after examining the signs, parade-ground, and every indication possible, reports the number of the enemy at six or seven hundred men.

Tell our people never again to give way to a *panic;* but to do their duty.

I have the honor, &c.,

SAM HOUSTON.

P. S. Keep all the prisoners safe.

No. 40.

*To David Thomas, acting Secretary of War.**

CAMP WEST OF BRASOS, *April* 11, 1836.

SIR: I have the honor to send you a Mr. Powell, and I have given him a letter of introduction. This I did from policy. You will find him a panic-maker, and, in my opinion, a spy. I hope you will send him to Colonel Morgan, and let him be watched so closely that he can do no harm, if he should be so disposed. I assure your excellency that we must manage to keep suspicious persons safe. From them, in my opinion, and none else, we may apprehend all danger. I pray you not to think me too rigorous in these matters. I consult the secretary of war, who has a knowledge of facts, as well as myself; and my course is in accordance with his views. Major Wyley Martin wrote to me about this same man, and said his statements were "*lies.*" For the sake of Texas, have him kept safe; and it might be best to send him to Colonel Morgan, where he can be watched without suspecting it. Lynn and Kerr ought to be well watched. I pray you be vigilant. I have ordered spies everywhere. Though Powell says Urrea (general) is on his way to the lower country, how could Powell pass by the enemy, as he has done, unless he has some assurance of their favor? I think Powell is sent to scare us, while the enemy are pretty badly scared themselves. I hope they will soon be as much hurt. The high waters have interrupted us much. May Heaven prosper you and the country.

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* This letter was probably directed to President Burnet. See No. 42.

I have the honor, &c., **Sam Houston.**

I do not deem it necessary to make formal charges. Policy will at least, justify his detention. Words of the accused are cheap—bear this in mind, I pray you.

No. 41.

To the Citizens of Texas.

Headquarters of the Army, Camp on Brasos, *April* 13, 1836.

You have suffered panic to seize you, and idle rumor to guide you. You will now be told that the enemy have crossed the Brasos, and that Texas is conquered. Reflect, reason with yourselves, and you can not believe a part of it. The enemy have crossed the Brasos, but they are treading the soil on which they are to be conquered. That he has not been already beaten, has been caused by the tardiness of some, and the apathy of others. The force of the enemy does not exceed nine hundred men. With a semblance of force sufficient to meet him, his fate is certain. If, then, you wish your country saved, join her standard. Protect your wives, your children, and your homes, by repairing to the field, where alone, by discipline and concert of action, you can be effective. The presence of the small force now in the field has divided his army. Our *spies* have once checked his career. Then march forward; and with the confidence of men determined to conquer, join the troops now in the field, and your enemy is certainly in your power. Twenty men in number checked the force of the enemy in crossing the Brasos at Fort Bend. The rumor that is circulated about the Mexicans being on the Trinity, was reported at the falls of the Brasos three weeks ago. A gentleman is in camp who says no enemy had passed there: so, like other reports, it must be unfounded. Come and free your country at once; and be *men!*

Let those who are on the march, advance to the army. Those who do not aid Texas in her present struggle, but flee and forfeit all the rights of citizens, will deserve their fate.

Sam Houston, *Commander-in-Chief.*

No. 42.

To David Thomas, acting Secretary of War.

HEADQUARTERS, CAMP AT GROCE'S, *April* 13, 1836.

SIR: This moment yours of yesterday has reached me. I have the honor to remark, that taunts and suggestions have been gratuitously tendered to me; and I have submitted to them without any disposition to retort either unkindness or imputation. What has been my situation? At Gonzales I had three hundred and seventy-four efficient men, without supplies, even powder, balls, or arms. At Colorado with seven hundred men, without discipline or time to organize the army. Two days since, my effective force in camp was five hundred and twenty-three men (aggregate). I had authorized Captain Martin to detain a force there of at least two hundred men. I had sent to the bottom opposite San Felipe one hundred and fifty men: and had reason to expect the attack would be made, and an effort made to cross the river at San Felipe, or at the point at which I was, as the prairie, at the latter point, approached nearer to the river, and the bottom was better than at any other point on the river. The cannonade was kept up at San Felipe until yesterday morning; and as the river was very high, and it was reported to me that the enemy were preparing rafts at that point, I had every reason to suppose that they intended to cross there, if possible.

On the previous night, in consultation with the secretary of war, we concluded to pass the river to this side. At ten o clock, A. M., yesterday, I commenced crossing the river, and from that time till the present (noon) the steamboat and yawl (having no ferry-boat) have been engaged. We have eight or ten wagons, ox-teams, and about two hundred horses, belonging to the army; and these have to pass on board the steamboat, besides the troops, baggage, &c. This requires time; but I hope in one hour to be enabled to be in preparation. I had sent an express evening before last to all the troops of Washington and above this point to meet me here by a rapid march. On yesterday morning I ordered all the command below to unite with the main body, so as to act promptly and efficiently when most necessary. It was impossible to guard all river passes for one hundred miles, and at once concentrate the force so as to guard any one point effectually, unless where the main body might be stationed. An invading army marches with everything necessary to conquest. I would at once have fallen back on Harrisburg, but a wish to allay the panic that prevailed, induced me to stop at the Brasos, contrary to my views of military operations. I had assurances of reinforcements by remaining on the Brasos—of which I will say nothing at present.

When I assured the department that the enemy should not pass the Brasos, I did not intend to convey the idea that either the army or myself possessed powers of ubiquity; but, that they should not pass through my encampment. I do hope that my last envelope to his excellency the president, will show you on *whom* to rely, and on *whom*, for a while, the burden must rest.

I beg leave to assure you that I will omit no opportunity to serve the country, and to serve it for the love of it, without ambition, or ulterior views into which selfishness can enter. I have, under the most disadvantageous circumstances, kept an army together, and where there has not been even murmuring or insubordination; but I can not perform impossibilities. These remarks are not in anger, nor are they intended to be in the least personal to you, but arise out of the pressure of difficulties which you can not appreciate, because they are unexplained to you. Again I beg leave to assure you, that I have for you the most high and friendly consideration, and will regard with pleasure every manifestation of public confidence arising from a proper estimate of your worth. I write in much haste, pressed by business, and engaged in the contemplation of matters, I hope, not distant.

I have the honor, &c.,

SAM HOUSTON.

No. 43.

To Colonel Nathaniel Robbins.

HEADQUARTERS, CAMP AT GROCE'S, *April* 13, 1836.

SIR: You are hereby ordered and commanded to seize all arms and guns, and such weapons of war as may be useful to the army, or necessary to the defence of Texas, giving receipts for the same, and holding them subject to the orders of the government.

You will arrest all *deserters* from the army, and pass them over to commands on their march to the army. All persons who have not furnished substitutes, and have left the army without furloughs or discharges, or whose furloughs have expired, are deserters, and as such must be registered and reported to the government, if not apprehended and sent back.

Sam Houston.

No. 44.

To Colonel Henry Raguet, of Nacogdoches.

Camp at Harrisburg, *April* 19, 1836.

Sir: This morning we are in preparation to meet Santa Anna. It is the only chance of saving Texas. From time to time I have looked for reinforcements in vain. The convention adjourning to Harrisburg struck *panic* throughout the country. Texas could have started at least four thousand men. We will only have about seven hundred to march with, besides the camp-guard. We go to conquer. It is wisdom growing out of necessity to meet the enemy now; every consideration enforces it. No previous occasion would justify it. The troops are in fine spirits, and now is the time for action.

Adjutant-General Wharton, Inspector-General Hockley, Aide-de-Camp Horton; Aides-de-Camp W. H. Patton, Collingsworth; Volunteer Aides Perry, Perry; Major Cook, assistant inspector-general —will be with me.

We shall use our best efforts to fight the enemy to such advantage as will insure victory, though the odds are greatly against us I leave the result in the hands of a wise God, and rely upon his providence.

My country will do justice to those who serve her. The rights for which we fight will be secured, and Texas free.

Sam Houston, *Commander, &c.*

P. S.—Colonel Rusk is in the field.

No. 45.

To David G. Burnet, President of the Republic of Texas.

Headquarters of the Army, San Jacinto, *April* 25, 1836.

Sir: I regret extremely that my situation, since the battle of the 21st, has been such as to prevent my rendering you my official report of the same previous to this time.

I have the honor to inform you that, on the evening of the 18th inst., after a forced march of fifty-five miles, which was effected in two days and a half, the army arrived opposite Harrisburg. That evening a courier of the enemy was taken, from whom I learned that General Santa Anna, with one division of his choice troops, had marched in the direction of Lynch's ferry, on the San Jacinto—burning Harrisburg as he passed down.

The army was ordered to be in readiness to march early on the next morning. The main body effected a crossing over Buffalo bayou, below Harrisburg, on the morning of the 19th, having left the baggage, the sick, and a sufficient camp-guard, in the rear. We continued to march throughout the night, making but one halt in the prairie for a short time, and without refreshments. At daylight we resumed the line of march, and in a short distance our scouts encountered those of the enemy, and we received information that General Santa Anna was at New Washington, and would that day take up the line of march for Anahuac, crossing at Lynch's ferry. The Texan army halted within half a mile of the ferry, in some timber, and were engaged in slaughtering beeves, when the army of Santa Anna was discovered to be approaching in battle array, having been encamped at Clopper's point, eight miles below. Disposition was immediately made of our forces, and preparation for his reception. He took a position with his infantry, and artillery in the centre, occupying an island of timber, his cavalry covering the left flank. The artillery, consisting of one double-fortified medium brass twelve-pounder, then opened on our encampment. The infantry, in column, advanced with the design of charging our lines, but were repulsed by a discharge of grape and canister from our artillery, consisting of two six-pounders. The enemy had occupied a piece of timber within rifle-shot of the left wing of our army, from which an occasional interchange of small-arms took place between the troops, until the enemy withdrew to a position on the bank of the San Jacinto, about three quarters of a mile from our encampment, and commenced fortification.

A short time before sunset, our mounted men, about eighty-five in number, under the special command of Colonel Sherman, marched out for the purpose of reconnoitring the enemy. While advancing, they received a volley from the left of the enemy's infantry, and, after a sharp rencounter with their cavalry, in which ours acted extremely well, and performed some feats of daring chivalry, they retired in good order, having had two men severely wounded, and several horses killed. In the meantime, the infantry under the command of Lieutenant-Colonel Millard, and Colonel Burleson's regiment, with the artillery, had marched out for the purpose of covering the retreat of the cavalry, if necessary. All then fell back in good order to our encampment about sunset, and remained without ostensible action until the 21st, at half-past three o'clock, taking the first refreshment which they had enjoyed for two days. The enemy in the meantime extended the right flank of their infantry, so as to occupy the extreme point of a skirt of timber on the bank of the San Jacinto, and secured their left by a fortification about five feet high, constructed of packs and baggage, leaving an opening in the centre of the breastwork, in which their artillery was placed, their cavalry upon their left wing.

About nine o'clock on the morning of the 21st, the enemy were reinforced by five hundred choice troops, under the command of General Cos, increasing their effective force to upward of fifteen hundred men, while our aggregate force for the field numbered seven hundred and eighty-three. At half-past three o'clock in the evening, I ordered the officers of the Texan army to parade their respective commands, having in the meantime ordered the bridge on the only road communicating with the Brasos, distant eight miles from our encampment, to be destroyed—thus cutting off all possibility of escape. Our troops paraded with alacrity and spirit, and were anxious for the contest. Their conscious disparity in numbers seemed only to increase their enthusiasm and confidence, and heightened their anxiety for the conflict. Our situation afforded me an opportunity of making the arrangements preparatory to the attack without exposing our designs to the enemy. The *first* regiment, commanded by Colonel Burleson, was assigned to the centre. The *second* regiment, under the command of Colonel Sherman, formed the left wing of the army. The artillery, under the special command of Colonel George W. Hockley, inspector-general, was placed on the right of the first regiment; and four companies of infantry, under the command of Lieutenant-Colonel Henry Millard, sustained the artillery upon the right. Our cavalry, sixty-one in number, commanded by Colonel Mirabeau B. Lamar (whose gallant and daring conduct on the previous day had attracted the admiration of his comrades, and called him to that station), placed on our extreme right, completed our line. Our cavalry was first despatched to the front of the enemy's left, for the purpose of attracting their notice, while an extensive island of timber afforded us an opportunity of concentrating our forces, and deploying from that point, agreeably to the previous design of the troops. Every evolution was performed with alacrity, the whole advancing rapidly in line, through an open prairie, without any protection whatever for our men. The artillery advanced and took station within two hundred yards of the enemy's breastwork, and commenced an effective fire with grape and canister.

Colonel Sherman, with his regiment, having commenced the action upon our left wing, the whole line, at the centre and on the right, advancing in double quick time, raised the war-cry, "*Remember the Alamo!*" received the enemy's fire, and advanced within point-blank shot, before a piece was discharged from our lines. Our line advanced without a halt, until they were in possession of the woodland and the enemy's breastwork—the right wing of Burleson's and the left of Millard's taking possession of the breastwork; our artillery having gallantly charged up within seventy yards of the enemy's cannon, when it was taken by our troops.

The conflict lasted about eighteen minutes from the time of close action until we were in possession of the enemy's encampment, taking one piece of cannon (loaded), four stand of colors, all their camp-equipage, stores, and baggage. Our cavalry had charged and routed that of the enemy upon the right, and given pursuit to the fugitives, which did not cease until they arrived at the bridge which I have mentioned before—Captain Karnes, always among the foremost in danger, commanding the pursuers. The conflict in the breastwork lasted but a few moments; many of the troops encountered hand to hand, and, not having the advantage of bayonets on our side, our riflemen used their pieces as war-clubs, breaking many of them off at the breech. The rout commenced at half-past four, and the pursuit by the main army continued until twilight. A guard was then left in charge of the enemy's encampment, and our army returned with their killed and wounded. In the battle, our loss was two killed and twenty-three wounded, six of them mortally. The enemy's loss was six hundred and thirty killed, among whom was one general officer, four colonels, two lieutenant-colonels, five captains, twelve lieutenants; wounded two hundred and eight, of which were five colonels, three lieutenant-colonels, two second lieutenant-colonels, seven captains, one cadet; prisoners seven hundred and thirty

—President-General Santa Anna, General Cos, four colonels, aides to General Santa Anna, and the colonel of the Guerrero battalion, are included in the number. General Santa Anna was not taken until the 22d, and General Cos yesterday, very few having escaped. About six hundred muskets, three hundred sabres, and two hundred pistols, have been collected since the action. Several hundred mules and horses were taken, and nearly twelve thousand dollars in specie.

For several days previous to the action, our troops were engaged in forced marches, exposed to excessive rains, and the additional inconvenience of extremely bad roads, badly supplied with rations and clothing; yet, amid every difficulty, they bore up with cheerfulness and fortitude, and performed their marches with spirit and alacrity—there was no murmuring.

Previous to and during the action, my staff evinced every disposition to be useful, and were actively engaged in their duties. In the conflict I am assured that they demeaned themselves in such a manner as proved them worthy members of the army of San Jacinto. Colonel T. J. Rusk, secretary of war, was on the field. For weeks his services had been highly beneficial to the army. In the battle, he was on the left wing, where Colonel Sherman's command first encountered and drove in the enemy: he bore himself gallantly, and continued his efforts and activity, remaining with the pursuers until resistance ceased.

I have the honor of transmitting herewith a list of all the officers and men who were engaged in the action, which I respectfully request may be published, as an act of justice to the individuals. For the commanding general to attempt discrimination as to the conduct of those who commanded in the action, or those who were commanded, would be impossible. Our success in the action is conclusive proof of their daring intrepidity and courage; every officer and man proved himself worthy of the cause in which he battled, while the triumph received a lustre from the humanity which characterized their conduct after victory, and richly entitles them to the admiration and gratitude of their general. Nor should we withhold the tribute of our grateful thanks from that Being who rules the destinies of nations, and has, in the time of greatest need, enabled us to arrest a powerful invader while devastating our country.

I have the honor, &c.,

SAM HOUSTON, *Commander-in-Chief.*

No. 46.

Report of Thomas J. Rusk, Secretary of War.

[This report of the closing scene of the Texan campaign is added here as an important historical document throwing much light upon the action of the 21st of April.]

War Department, Headquarters, Army of Texas,
San Jacinto River, *April* 22, 1836.

To His Excellency David G. Burnet, President of Texas.

Sir: I have the honor to communicate to your excellency a brief account of a general engagement with the army of Santa Anna, at this place on the 21st instant.

Our army, under the command of General Houston, arrived here on the 20th instant. The enemy, a few miles off at New Washington, apprized of our arrival, committed some depredations upon private property, and commenced their line of march to this point. They were unconscious of our approach until our standard was planted on the banks of the San Jacinto. Our position was a favorable one for battle. On the noon of the 20th, the appearance of our foe was hailed by our soldiers with enthusiasm. The enemy marched in good order, took a position in front of our encampment, on an eminence, within cannon-shot, where they planted their only piece of artillery, a brass nine-pounder; and then arrayed their cavalry and infantry a short distance on the right, under the shelter of a skirt of woods. In a short time, they commenced firing upon us; their cannon in front, their infantry on our left, and their cavalry changing their position on the right. A charge was made on the left of our camp by their infantry, which was promptly repelled by a few shots from our artillery, which forced them to retire. I have the satisfaction of stating that only two of our men were wounded, one very slightly, the other (Colonel Neill, of the artillery) not fatally.

The attack ceased; the enemy retired and formed in two skirts of timber, and remained in that position, occasionally opening their cannon upon us, until just before sunset, when they attempted to draw off their forces. Their artillery and cavalry were removed to other points. Colonel Sherman, with sixty of our cavalry, charged upon theirs, consisting upward of one hundred, killing and wounding several. Their infantry came to the assistance of their cavalry, and opened upon us an incessant fire for ten or fifteen minutes, which our men sustained with surprising firmness. Too much praise can not be bestowed upon those who were engaged in this charge, for never was one of equal peril made with more courage, and terminated with less loss. Two of our men were severely wounded, but none killed. This terminated the movements of the day.

Early next morning, about nine o'clock, the enemy received a reinforcement of five hundred men, under the command of General Martin Prefecto de Cos, which increased their strength to fourteen or fifteen hundred men. It was supposed that an attack upon our encampment would now be made; and, having a good position, we stationed our artillery, and disposed of the forces, so as to receive the enemy to the best advantage. At three o'clock, however, the foe, instead of showing signs of attack, was evidently engaged in fortifying. We determined, therefore, immediately to assail him; and, in half an hour, we were formed in four divisions: the first, intended as our right wing, composed of the regulars under Colonel Millard, and the second division, under command of Colonel Sydney Sherman, formed our left wing. A division, commanded by Colonel Burleson, formed our centre. Our two six-pounders, under the command of Colonel Hockley, Captains Isaac N. Moreland and Stillwell, were drawn up on the right of the centre division. The cavalry, under command of Colonel Mirabeau B. Lamar, formed upon the right. At the command to move forward, all the divisions advanced in good order and high spirits. On arriving within reach of the enemy, a heavy fire was opened, first with their artillery on our cavalry. A general conflict now ensued. Orders were given to charge. Colonel Sherman's division moved up, and drove the enemy from the woods occupied by them on their right wing. At the same moment, Colonel Burleson's division, together with the regulars, charged upon and mounted the breastwork of the enemy, and drove them from their cannon; our artillery, the meanwhile, charging up and firing upon them with great effect. The cavalry, under Colonel Lamar, at the same time fell on them with great fury and great slaughter. Major-General Houston acted with great gallantry, encouraging his men to the attack, and heroically charged, in front of the infantry, within a few yards of the enemy, receiving at the same time a wound in his leg. The enemy soon took to flight, officers and all, some on foot and some on horseback. In ten minutes after the firing of the first gun, we were charging through the camp, and driving them before us. They fled in confusion and dismay down the river, followed closely by our troops for four miles. Some of them took the prairie, and were pursued by our cavalry; others were shot in attempting to swim the river; and in a short period the sanguinary conflict was terminated by the surrender of nearly all who were not slain in the combat. One half of their army perished; the other half are prisoners, among whom are General Santa Anna himself, Colonel Almonté, and many other prominent officers of their army. The loss of the enemy is computed at over six hundred slain, and above six hundred prisoners; together with a *caballada* of several hundred mules taken, with much valuable baggage. Our loss, in point of numbers, is small, it being seven slain and fifteen wounded.

This glorious achievement is attributed, not to superior force, but to the valor of our soldiers and the sanctity of our cause. Our army consisted of seven hundred and fifty effective men. This brave band achieved a victory as glorious as any on the records of history, and the happy consequences will be felt in Texas by succeeding generations. It has saved the country from the yoke of bondage; and all who mingled in it are entitled to the special munificence of government, and the heartfelt gratitude of every lover of liberty. The sun was sinking in the horizon as the battle commenced, but, at the close of the conflict, the sun of liberty and independence rose in Texas, never, it is to be hoped, to be obscured by the clouds of despotism. We have read of deeds of chivalry, and perused with ardor the annals of war; we have contemplated, with the highest emotions of sublimity, the loud-roaring thunder, the desolating tornado, and the withering simoom of the desert; but neither of these, nor all, inspired us with emotions like those felt on this occasion! The officers and men seemed to be actuated by a like enthusiasm. There was a general cry which pervaded the ranks—"*Remember the Alamo! remember La Bahia!*" These words electrified all. "Onward!" was the cry. The unerring aim and irresistible energy of the Texan army could not be withstood. It was freemen fighting against the minions of tyranny, and the result proved the inequality of such a contest.

In a battle where every individual performed his duty, it might seem invidious to draw distinctions; but, while I do justice to all in expressing my high admiration of the bravery and gallant conduct of both officers and men, I hope I may be indulged in the expression of my highest approbation of the chivalrous conduct of Major James Collingsworth in almost every part of the engagement. Colonel

Hockley, with his command of artillery, Colonel Wharton, the adjutant-general, Major Cook, and, in fact, all the staff-officers; Colonel Burleson and Colonel Somervell on the right, Colonel Millard in the centre, and Colonel Sherman, Colonel Bennett, and Major Wells, on the left, and Colonel Lamar on the extreme right with the cavalry—led on the charge and followed in the pursuit with dauntless bravery. All have my highest approbation. With such men, sustained as we shall be by the patriots and lovers of liberty in our mother-country, hateful Despotism can not find a resting-place for the sole of her foot on the beautiful plains of Texas! A volume would not contain the deeds of individual daring and bravery. Each captain has been required to make report, and I hope justice will be done to all the brave spirits who mingled in the glorious achievement of yesterday. My aide-de-camp, Dr. Motley, of Kentucky, fell near me, mortally wounded, and soon after his spirit took its flight to join the immortal Milam and others in a better world.

I have the honor to be, very respectfully, yours,

THOMAS J. RUSK, *Secretary of War*

P. S.—Since writing the above, General Cos has been brought in a prisoner by our cavalry. T. J. RUSK.

APPENDIX NO. II.

DOCUMENTS

IN RELATION TO

THE COMMANDER-IN-CHIEF OF THE TEXAN ARMY.

GENERAL CONSULTATION.

"San Felipe de Austin, *November* 18, 1835.

"OF THE MILITARY.

"**Article** 2. The regular army of Texas shall consist of one major-general, who shall be commander-in-chief of all the forces called into public service during the war.

"**Article** 3. The commander-in-chief of the regular army of Texas shall be appointed by the convention, and commissioned by the governor."—*Journal*, p. 48.

"The house met at the expiration of the time for which it adjourned—

"When, on motion by Mr. Everitt, they went into an election for major-general.

"The rule in this case being suspended—

"On motion of M. W. Smith, S. Houston was elected major-general of the armies of Texas."—*Journal*, p. 36.

"*To Sam Houston, Esquire:*—

"In the name of the people of Texas, free and sovereign: We, reposing special trust and confidence in your patriotism, valor, conduct, and fidelity, do, by these presents, constitute and appoint you to be major-general and commander-in-chief of the army of Texas, and of all the forces now raised or to be raised by it, and of all others who shall voluntarily offer their service and join the said army, for the defence of the constitution and liberty, and for repelling every hostile invasion thereof; and you are hereby vested with full power and authority to act as you shall think for the good and welfare of the service.

"And we do hereby strictly charge and require all officers and soldiers under your command to be obedient to your orders, and diligent in the exercise of their several duties.

"And we do also enjoin and require you to be careful in executing the great trust reposed in you, by causing strict discipline and order to be observed in the army, and that the soldiers be duly exercised, and provided with all convenient necessaries.

"And you are to regulate your conduct in every respect by the rules and discipline of war adopted by the United States of North America, or such as may hereafter be adopted by this government; and punctually to observe and follow such orders and directions, from time to time, as you shall receive from this or a future government of Texas.

"This commission to continue in force until revoked by this or a future government.

"Done at San Felipe de Austin, on the fourteenth day of November, eighteen hundred and thirty-five.

"HENRY SMITH, *Governor*.

"P. B. DEXTER, *Secretary of Provisional Government*."

"COUNCIL-HALL, SAN FELIPE, *January* 3, 1836.

"THE president [of the council] submitted a communication from F. W. Johnson, for himself and other volunteers, for authority to proceed to Matamoras; which was read, and referred to the committee on military affairs, with instructions to report this afternoon at three o'clock."—*Journal*, p. 247.

"COUNCIL-HALL, SAN FELIPE, *January* 6, 1836.

"JAMES BOWIE exhibited to the council orders from the commander-in-chief of the army, to proceed against Matamoras, and took leave of the council for his departure."—*Journal*, p. 265.

"COUNCIL-HALL, *January* 6, 1836, 8 *o'clock, P. M.*

"MR. HANKS, from the select committee appointed to wait on James Bowie, to obtain a copy of his orders,* reported and presented a copy of the same, which was ordered to be filed."—*Journal*, p. 266.

"COUNCIL-HALL, *January* 7, 1836, 9 *o'clock, A. M.*

"SECTION 1. *Be it resolved*, by the general council of the provisional government of Texas, That J. W. Fannin be and he is hereby appointed and empowered as an agent, for and in behalf of the provisional government of Texas, to raise, collect, and concentrate, at or near the port of Copano, as convenience and safety will admit, all volunteer troops willing to enter into an expedition against Matamoras, wherever they may be found, at the mouth of the Brasos, city of Bexar, or elsewhere, whether in Texas or arriving in Texas; and, when thus collected and concentrated, to report either to the *commanding general*, or to the *governor* or *council*, as he may prefer, agreeably to the seventh section of an ordinance and decree, passed the 5th of December, 1835, for raising an auxiliary corps to the regular army; and to continue to report, from time to time, as the expedition may progress."

"SECTION 6. *Be it further resolved, &c.*, That the aforesaid agent, J. W. Fannin, shall be authorized and empowered to appoint such special agent or agents under him as he shall deem necessary to carry into effect the object of these resolutions."—*Journal*, pp. 273, 274.

Extract from the Message of Governor Henry Smith to the President and Members of the Council, January 11, 1836.

"IF the appointment of general agents with latitudinarian powers, with the power of substitution, and many other things equally inconsistent and ridiculous, which have been engendered in and emanated from your caucusing, intriguing body recently, does not show a want of respect for my department, and a total neglect of the sacred oaths and pledges solemnly made by you, I must admit I am no judge."—*Journal*, p. 292.

"EXECUTIVE DEPARTMENT OF TEXAS, SAN FELIPE, *January* 28, 1836.

"SIR: You are hereby furloughed until the 1st day of March next, for the purpose of adjusting your private business, preparatory to your necessary absence, hereafter, from home, in the country's service.

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* See Appendix I, No. 8, p. 454.

"Your absence is permitted in part by the illegal acts of the council in superseding you, by the unauthorized appointment of agents to organize and control the army, contrary to the organic law, and the ordinances of their own body.

"In the meantime, you will conform to your instructions, and treat with the Indians.

"Respectfully yours, &c.,
"HENRY SMITH, *Governor, &c.*

"To General Sam Houston, *Commander-in-Chief of the Army.*"

"In Convention, Friday Morning, 9 *o'clock, March* 4, 1836.

"The convention met pursuant to adjournment, and was called to order by the president.

"Mr. Collingsworth introduced the following resolution:—

"*Whereas,* we are now in a state of revolution, and threatened by a large invading army from the central government of Mexico; and *whereas,* our present situation, and the emergency of the present crisis, render it indispensably necessary that we should have an army in the field; and *whereas,* it is also necessary that there should be one superior head, or commander-in-chief, and a due degree of subordination defined, established, and strictly observed; therefore,

"*Be it resolved,* That General Sam Houston be appointed major-general, to be commander-in-chief of the land-forces of the Texan army, both regulars, volunteers, and militia (while in actual service), and endowed with all the rights, privileges, and powers, due to a commander-in-chief in the United States of America; and that he forthwith proceed to take command, establish headquarters, and organize the army accordingly—

"And that General Sam Houston retain such command until the election of a chief magistrate; and continue in such office, unless suspended by order of the government *de facto,* until the general organization agreeably to the constitution, being always amenable to the laws and civil authorities of the country.

"Which was read, approved, and adopted, in convention, at Washington, on the 4th day of March, A. D. 1836, and second day of the Independence of Texas.

"RICHARD ELLIS, *President.*

"Test., H. S. Kemble, *Secretary of the Convention.*"

"WASHINGTON, *March 6, 1836.*

"*Major-General Sam Houston:—*

"SIR: As commander-in-chief of the Texan army, you are ordered forthwith to repair to such place on the frontier as you may deem advisable. You will proceed to establish headquarters, and organize the army. You will require all officers of the army, of whatever grade, to report to you. And, as it is impossible, at this time, to determine any particular point of concentration, you will act according to the emergencies of the occasion and the best dictates of your own judgment, for the purpose of protecting our frontier, and advancing the best interests of our country.

"You will, as often as you may deem advisable, inform this body, or such other authority as they may establish, of both your acts and the situation of the army.

"JAMES COLLINGSWORTH,
"*Chairman of the Committee on Military Affairs.*
"RICHARD ELLIS,
"*President of the Convention.*"

APPENDIX NO. III.

NAMES, AGE, PLACE OF BIRTH, AND FORMER RESIDENCE,

OF THE SIGNERS OF THE

TEXAN DECLARATION OF INDEPENDENCE.

MARCH 2, 1836.

NAMES.	AGE.	PLACE OF BIRTH.	FORMER RESIDENCE.
Richard Ellis	54	Virginia	Alabama.
C. B. Stewart	30	South Carolina	Louisiana.
James Collingsworth	30	Tennessee	Tennessee.
Edwin Waller	35	Virginia	Missouri.
Asa Brigham	46	Massachusetts	Louisiana.
J. S. D. Byrom	38	Georgia	Florida.
Fras. Ruis	54	Bexar, Texas	———.
J. Ant^{o}. Navarro	41	Bexar, Texas	———.
J. B. Badgett	29	North Carolina	Arkansas Territory.
W. D. Lacy	28	Kentucky	Tennessee.
William Menifee	40	Tennessee	Alabama.
John Fisher	36	Virginia	Virginia.
M. Coldwell	38	Kentucky	Missouri.
W. Motley	24	Virginia	Kentucky.
L. D. Zavala	47	Yucatan	Mexico.
George W. Smyth	33	North Carolina	Alabama.
S. H. Everitt	29	New York	New York.
E. Stapp	53	Virginia	Missouri.
Cla^{e}. West	36	Tennessee	Louisiana.
W. B. Scates	30	Virginia	Kentucky.
M. B. Menard	31	Canada	Illinois.
A. B. Hardin	38	Georgia	Tennessee.
J. W. Bunton	28	Tennessee	Tennessee.
Thomas G. Gazeley	35	New York	Louisiana.
R. M. Coleman	37	Kentucky	Kentucky.
S. C. Robertson*	50	North Carolina	Tennessee.
George C. Childress*	32	Tennessee	Tennessee.
B. Hardiman	41	Tennessee	Tennessee.
R. Potter	36	North Carolina	North Carolina.

* Not present at the signing.

NAMES.	AGE.	PLACE OF BIRTH.	FORMER RESIDENCE.
Thomas J. Rusk	29	South Carolina	Georgia.
Charles S. Taylor	28	England	New York.
John S. Roberts	40	Virginia	Louisiana.
R. Hamilton	53	Scotland	North Carolina.
C. M'Kinney	70	New Jersey	Kentucky.
A. H. Lattimer	27	Tennessee	Tennessee.
James Power	48	Ireland	Louisiana.
Sam Houston	43	Virginia	Tennessee.
David Thomas	35	Tennessee	Tennessee.
E. Conrad	26	Pennsylvania	Pennsylvania.
Martin Parmer	58	Virginia	Missouri.
E. O. Legrand	33	North Carolina	Alabama.
S. W. Blount	28	Georgia	Georgia.
James Gaines	60	Virginia	Louisiana.
W. Clark, jr.	37	North Carolina	Georgia.
S. O. Pennington	27	Kentucky	Arkansas Territory.
W. C. Crawford	31	North Carolina	Alabama.
John Turner	34	North Carolina	Tennessee.
B. B. Goodrich	37	Virginia	Alabama.
G. W. Barnett	43	South Carolina	Mississippi.
J. G. Swisher	41	Tennessee	Tennessee.
Jesse Grimes	48	North Carolina	Alabama.
S. Rhoads Fisher*	41	Pennsylvania	Pennsylvania.
Samuel A. Maverick*	29	South Carolina	South Carolina.
John White Bower*	27	Georgia	Arkansas Territory.
James B. Woods*	34	Kentucky	Kentucky.
Andrew Briscoe*	—	—	—.
John W. Moore*	—	—	—.
Thomas Barnett	—	—	—.

The above is from a statement furnished in the convention, to Dr. B. B. Goodrich, by the members themselves.

* Not present at the signing.

APPENDIX NO. IV.

DOCUMENTS

IN RELATION TO THE

MASSACRE OF COLONEL FANNIN AND HIS COMMAND, ON SUNDAY MORNING, MARCH 27, 1836, AT GOLIAD.

Extracts from the Diary of General Urrea.[*]

"*March* 20. . . . . The instant the fire was opened, and the movement I had ordered was taking place, the enemy, without offering any resistance, raised the white flag. I immediately ordered the firing to cease, and despatched Lieutenant-Colonel Holzinger, and my adjutant Don José Gonzales, to learn the enemy's intention. The former soon returned, stating that they proposed to capitulate. My reply simply was, that I could accede to nothing else than an unconditional surrender, and Señors Morales and Salas hastened to communicate the same to the enemy's commissioners, who had already come forth from their entrenchments. Some communications passed; but desirous to terminate the affair as promptly as possible, I repaired to the spot, and repeated to the head of the deputation the impossibility on my part, to accede to any other thing than a surrender on the terms I had already proposed, feeling obliged to refuse subscribing the capitulation in three articles, for which they asked."

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[*] The translations of *Urrea's Diary*, and *Santa Anna's Manifesto*, as furnished by the *Democratic Review* of 1838, are used in this appendix.

The Articles.

"ARTICLE 1. The Mexican troops having planted their artillery at the distance of one hundred and seventy paces, and having opened their fire, we raised the white flag, and instantly there came Colonels Morales and Holzinger, and to them we proposed to surrender at discretion, on the terms they should judge suitable.

"ARTICLE 2. That the wounded, and that the commander, Fannin, be treated with all possible consideration, it being proposed that we should lay down our arms.

"ARTICLE 3. That all the detachment shall be treated as prisoners-of-war, and placed at the disposal of the supreme government.

"The plain on the Coleta river, Between Victoria and La Bahia, March 20, 1836.

"B. C. WALLACE, *Major,*
"J. M. CHADWICK,
"Approved, J. W. FANNIN, *Commander.*"

[Added by General Urrea.] "When the enemy raised the white flag, I sent to inform their leader that I could admit of no other terms than those of surrendering at discretion, without any modification whatever, as agreed upon through the medium of those gentlemen leaders of the party, therein named; nor can the other requests made by the subscribers to that surrender be received. Such was the declaration I before made, which must be complied with, since neither can I, nor ought I to grant any other thing.

"JOSE URREA."

"Then turning to Fannin and his companion, in presence of Señors Morales, Salas, Holzinger, and others, I definitely replied: 'If you are willing to surrender at discretion, the thing is concluded; if otherwise, I will return to my post, and the attack shall continue.' Painful to me as was this reply, and desirous as I might have felt to offer them the guaranties which humanity might have prescribed, it was not within the limit of my powers; had it been so, I should have guarantied their lives at least, on the spot. Fannin was a respectable man, and a man of courage, a quality reciprocally prized by soldiers in the field. His manners conciliated my esteem, and had it been in my power to save him, as well as his companions, I should have felt gratified in so doing. All the assurance I could make him was, that I would interpose in his behalf with the general-in-chief, which I accordingly did, in a letter from Victoria.

"After my ultimatum, the leaders of the enemy's forces conferred together, and the result of their deliberations was to surrender upon the terms proposed. They at the same time gave orders to those under their command to come forth and pile their arms. Nine pieces of artillery, three standards, more than a thousand muskets, a quantity of pistols, rifles, and dirks, of superior quality, a number of wagons, and a considerable quantity of provisions, together with about *four hundred* prisoners, remained in the hands of the army, among whom were ninety-seven wounded, Fannin and others of the leading men being among the number. I gave orders that the whole of them, with their baggage, should march to Goliad, guarded by two hundred infantry, and that such of the wounded as were unable to proceed, should be conveyed in carts, wagons, and other vehicles found in the enemy's camp. Twenty-seven of their dead, of the day previous, were interred, together with *eleven* of our own. We had *forty-nine* soldiers wounded, and *five* officers, among whom was Captain Ballasteros, severely."

"*March* 21.—At daybreak I continued my march, and at seven o'clock took possession of Victoria.

"*March* 22.—I marched, with two hundred foot and fifty horse, to a mountain pass called *Las Juntas*. Here I met with four men from Ward's company, who were in search of provisions, and from them I learned that the whole band *was in ambush* in a neighboring wood. I immediately surrounded it, and sent in one of the prisoners to announce to his leader and companions, that unless they surrendered at discretion they would be cut to pieces. Mr. Ward, known under the title of their colonel, desired to speak with me; and after a few minutes' conversation, he with his troop of *one hundred* men surrendered at discretion.

"*March* 23.—In this place I received advice that eighty-two of the enemy had surrendered in Copano, with all their arms, ammunition, and provisions."

"*To General Urrea, Commander, &c.:*—

[Official.] "In respect to the prisoners of whom you speak in your last communication, you must not fail to bear in mind the circular of the supreme government, in which it is decreed, that 'foreigners invading the republic, and taken with arms in their hands, shall be judged and treated as pirates;' and as, in my view of the matter, every Mexican guilty of the crime of joining these adventurers loses the rights of a citizen by his unnatural conduct, the five Mexican prisoners whom you have taken ought also to suffer as traitors."

[Unofficial.] "In regard to foreigners who make war, and those unnatural Mexicans who have joined their cause, you will remark that what I have stated to you officially is in accordance with the former provisions of the supreme government. An example is necessary, in order that those adventurers may be duly warned, and the nation be delivered from the ills she is daily doomed to suffer.

"ANTONIO LOPEZ DE SANTA ANNA.

"GENERAL QUARTERS, BEJAR, *March* 3, 1836."

" *To General Urrea, &c.:*—

"Under date of the present, I have stated to the commandant of the post of Goliad, as follows:—

"'By a communication made to me by Colonel D. F. Garay, of that place, I am informed that there have been sent to you by General Urrea, *two hundred and thirty-four* prisoners, taken in the action of *Encinal del Perdido* (Coleta), on the 19th and 20th of the present month; and as the supreme government has ordered that all foreigners taken with arms in their hands, making war upon the nation, shall be treated as pirates, I have been surprised that the circular of the said supreme government has not been fully complied with in this particular; *I therefore order, that you should give immediate effect to the said ordinance in respect to all those foreigners* who have yielded to the force of arms, having had the audacity to come and insult the republic, to devastate with fire and sword, as has been the case in Goliad, causing vast detriment to our citizens; in a word, shedding the precious blood of Mexican citizens, whose only crime has been their fidelity to their country. I trust that, in *reply* to this, you will inform me that *public vengeance has been satisfied* by the punishment of such detestable delinquents. I transcribe the said decree of the government for your guidance, and that you may strictly fulfil the same, in the zealous hope that, for the future, the provisions of the supreme government may not, for a moment, be infringed.'

"HEADQUARTERS, BEJAR, *March* 23, 1836.

"ANTONIO LOPEZ DE SANTA ANNA."

From the Commandant at Goliad to General Urrea.

"In compliance with the definitive orders of his excellency the general-in-chief, which I received direct, at four o'clock to-morrow morning the prisoners sent by you to this fortress will be shot. I have not ventured to execute the same sentence on those who surrendered to Colonel Vara, at Copano, being unacquainted with the particular circumstances of their surrender; and I trust you will be pleased to take upon yourself to save my responsibility in this regard, by informing me what I am to do with them.

"J. N. DE PORTILLA.

"GOLIAD, *March* 26, 1836."

Further from the Diary of General Urrea.

"*March* 24–27.—These days were passed in necessary regulations, in refitting the troops, and in the care of the sick and wounded. On the 25th I sent Ward and his companions to Goliad. On the 27th, between nine and ten o'clock in the morning, I received a communication from Lieutenant-Colonel Portilla, military commandant of Goliad, informing me that he had received an order from his excellency the commander-in-chief, to shoot all the prisoners there, and that he had resolved to comply with the same. The order in question was received by Portilla at seven o'clock on the evening of the 26th; he communicated it to me the same date, but necessarily it only came to my knowledge after the execution had taken place. Every soldier in my division was confounded at the news; *all was amazement and consternation.* I was no less struck to the heart than my companions in arms, who stood there the witnesses of my sorrow; let one of those present at that painful moment deny the fact. More than *a hundred and fifty* of those who fortunately remained with me, escaped this catastrophe, consisting of those who had surrendered at Copano, together with the surgeons and young men whom I had placed to tend on the hospitals, whose services, as well as those of many of the prisoners, were very important to the army.

"The melancholy event of which I here speak has caused a more than ordinary sensation, not only among my own countrymen, but among strangers the most distant from us. Nor have those been wanting who would fix the fearful responsibility on me, although nothing could be more clear and unequivocal than my conduct in regard to this horrid transaction.

"Nothing could be more painful to me than the idea of sacrificing so many gallant men, and particularly the amiable, spirited, and soldier-like Fannin. They certainly surrendered in the full confidence that Mexican generosity would not be sterile in their regard; they assuredly did so, or otherwise they would have resisted to the last, and sold their lives as dearly as possible.

"Should an attempt be made to convict me in another quarter, by asking why I did not guaranty the lives of those unhappy men, when it was in my power, by granting them a capitulation when they surrendered to me at Coleta, my reply would be, that it was not within the scope of my powers to do so, nor would it have been honorable to the arms of the nation, or to myself. Again, *I should have rendered myself liable to a court-martial* for so doing, inasmuch as having, on that day, the advantage of the enemy, in both numbers and position, I could admit of no other proposition than that of surrendering at discretion, or trying the fortune of the field. I feel conscious of having acted, in this affair, in such manner as duty demanded, and of which the result was not in my power. As to those who have presumed to say that I offered guaranties to the party surrendering to me, they have said so without any knowledge of the facts."

Extract from the Diary of Lieutenant-Colonel Portilla, Commandant at Goliad.

"*March* 26, 1836.—At seven o'clock in the evening arrived a courier extraordinary from Bexar, from his excellency General Santa Anna, notifying me that the whole of the prisoners who had surrendered by force of arms were immediately to be shot, with regulations as to the manner in which it was to be executed. I deferred it, for both myself and Colonel Gary to whom I communicated it, thought of nothing less than such a thing. At eight the same evening came a courier extraordinary from Victoria, from General Urrea, who said to me, among other things, 'Treat the prisoners with consideration, and particularly their leader, Fannin. Let them be employed in repairing the houses, and erecting quarters, and serve out to them a portion of the rations which you will receive from the mission of Refugio.' How cruel is my state of uncertainty, my mind vacillating between these conflicting orders! I passed the whole night restless and uneasy in mind.

"*March* 27.—At daybreak I came to a determination to fufil the orders of his excellency the commander-in-chief, considering him as the superior I ought to obey. I gave orders for the whole garrison to form, and awaken the prisoners (four hundred and forty-five in number), who were still asleep. (I ordered the eighty of the class who had come from Copana, to be separated from the rest, inasmuch as their fate demanded consideration, because, when invading our territory, they were not taken with arms in their hands.) We formed ourselves into three divisions—the first under the orders of the first adjutant Don Augustin Alcerrica; the second under those of Captain Luis Balderas; and the third, of Captain Antonio Ramirez. To these officers I intrusted the execution of the order of the supreme government, and of the general-in-chief. *It was executed.* A great struggle of feelings among the officers and soldiers—a profound silence! Sad at heart, I wrote to General Urrea, expressing my regret at having been concerned in so painful an affair. I also sent an official acount of what I had done, to the general-in-chief. The eighty prisoners of Copano are still alive, and I asked for instructions from the general-in-chief as to what was to be done with them."

Commandant at Goliad to General Urrea.

"My dear General: I feel much distressed at what has occurred here; a scene enacted in cold blood having passed before my eyes which has filled me with horror. All I can say is, that my duty as a soldier, and what I owe to my country, must be my guaranty. My dear general, by you was I sent here; you thought proper so to do, and I remain here in entire conformity to your wishes. I came, as you know, voluntarily, with these poor Indians, to co-operate, to the best of my humble means, for my country's good. No man is required to do more than is within the scope of his abilities; and both they and myself have doubtless been placed here as competent to *the purposes you had in view.* I repeat it, that I am perfectly willing to do anything, save and excepting the work of a public *executioner* by receiving orders to put more persons to death. And yet, being but a subordinate officer, it is my duty to do what is commanded me, even though repugnant to my feelings.

"I am, general, your devoted and sincere friend,

"J. N. de La Portilla.

"Goliad, *March* 27, 1836."

Extract from the Manifesto of Santa Anna.

"This last event [the surrender of Fannin and his followers] has been productive of much evil to myself, and it is therefore necessary that I would make a short digression respecting it. To avoid repetition, I make this observation once for all—the war of Texas was not only just on the part of Mexico, but imperatively called for by the undisguised character of the hostility which provoked it. It is notorious that the soldiers of Travis in the Alamo, those of Fannin at Coleta, the riflemen of Doctor Grant, and Houston himself and the troops of San Jacinto, with very few exceptions, came from New Orleans and other points of the neighboring republic, exclusively to support the rebellion in Texas, having had no previous relation with the colonists or their enterprises.

"This country was soon invaded, not by a nation recognised as such, coming to vindicate rights positive or supposed; nor yet by Mexicans, led away by a political fanaticism to defend or attack the public administration of their country; no, it was invaded by men hurried on by the lust of conquest, with rights far less apparent and plausible than Cortes and Pizarro. As for those who raised the standard of revolt throughout the immense territory which Mexico possesses from Bexar to the Sabine, what name shall I give them, or how treat them? The laws, ever in vigor, and whose strict observance the government earnestly enforces, term them pirates and banditti; and the nations of the world would never have forgiven Mexico had she treated such men with the respect which is due only to the honorable, the upright, the respecters of the rights of nations. Till then [the massacre at Goliad], I had enjoyed among my fellow-citizens the reputation—preferable in my mind to that of a brave man—the reputation of being humane after victories won. So completely unfortunate was I destined to become, that even the solitary virtue, which my bitterest enemies never denied me, is now disputed. I am represented as more ferocious than the tiger; I, who was ambitious to be distinguished by nothing so much as by my clemency, in a country that yields to no other in humane and generous feeling. The execution of Fannin and his followers, is the ground on which they accuse me of having been barbarous and sanguinary. . . . . . The prisoners at Goliad stood condemned by the law, by a universal law, by the right of self-protection, which every nation and every individual enjoys. They did not surrender under the form of capitulation, as General Urrea has shown; how then could I turn the sword of justice from their heads without directing it against my own? Let it be said (though I confess that such is not my opinion) that the law is unjust; yet to impute the homicide to the mere instrument, and not to the hand that directs it, can there be greater blindness? The prisoners were in the highest degree embarrassing to the commandant at Goliad; before taking to flight they had set fire to the place; and nothing was left us but the church to house the sick and wounded. The sole security of the garrison consisted of perpetual vigilance, being greatly inferior in number to the prisoners; our provisions were barely sufficient for our own people; we were without cavalry to conduct them as far as Matamoras. All these considerations, *urged by the commandant of the place*, weighed heavily on my mind, and tended to bias my resolution.

"It has been said that a capitulation was made; and although the conduct of General Urrea contradicts the assertion, I addressed the supreme government on the subject, begging that an inquiry might be instituted, to show that neither officially nor confidentially was any knowledge of the same communicated to me; that had such been the case, though General Urrea had no power to grant it, I should have been induced, on the score of humanity, to appeal to the sovereign pity of Congress to deliver Fannin and his soldiers from death. With less motive, and taking advantage of their medical skill, several doctors were saved from death, as well as forty prisoners who were employed in the construction of different useful things. In fine, eighty-six men taken in Copano were saved, I having drawn up a statement, that it appeared certain that they never made use of their arms, nor had committed any depredation, though taken with arms in their hands; and having submitted the same to Congress, I entreated their clemency."

From the Notes of Captain John Shackleford.

"We then raised a white flag, which was responded to by the enemy. Major Wallace was then sent out, together with one or two others who spoke the Mexican language. They shortly returned, and reported that the Mexican general could capitulate with the commanding officer only. Colonel Fannin, although quite lame, then went out with the flag. When he was about to leave our lines, the emotions of my mind were intense, and I felt some anxiety to hear the determination of the men. I remarked to him that I would not oppose a surrender, provided we could obtain an *honorable capitulation*—one on which he could rely; that, if he could not obtain such, 'come back—our graves are already dug—let us all be buried together!' To these remarks the men responded in a firm and determined manner, and the colonel assured us that he never would surrender on any other terms. He returned in a short time thereafter, and communicated the substance of an agreement entered into by General Urrea and himself. Colonel Holzinger, a German, and an engineer in the Mexican service, together with several other officers, then came into our lines to consummate the arrangement. The first words Colonel Holzinger uttered, after a very polite bow, were, '*Well, gentlemen, in eight days, liberty and home!*' I heard this distinctly. The terms of the capitulation were then written in both the English and Mexican languages, and read two or three times by officers who could speak and read both languages. The instruments which embodied the terms of capitulation as agreed on were then signed and interchanged in the most formal and solemn manner, and were in substance as follows:—

"1. That we should be received and treated as prisoners-of-war, according to the usages of the most civilized nations.

"2. That private property should be respected and restored; that the side-arms of the officers should be given up.

"3. That the men should be sent to Copano, and thence to the United States in eight days, or so soon thereafter as vessels could be procured to take them.

"4. That the officers should be paroled, and return to the United States in like manner.

"I assert most positively that this capitulation was entered into, without which a surrender never would have been made."

"Here let me remark that I have read General Urrea's pamphlet. . . . . . On this point, as well as his denial of any capitulation, I never read a more villanous *falsehood* from the pen of any man who aspired to the rank of general."—*Ib.*

"On passing from one part of their wounded to another, I made it convenient to see Fannin, and stated to him how badly we were treated. He immediately wrote to General Urrea, adverting to the terms of the capitulation, and to our treatment."—*Ib., March* 23.

Urrea to Portilla, in answer to the above.

"TREAT the prisoners with consideration, and particularly their leader Fannin."—*March* 26.

Remarks on the foregoing.

THE character of Dr. John Shackleford for truth and integrity is unquestionable. He is sustained by the statements of others, who survived that transaction; he is also sustained by the circumstances themselves. From a careful view of all the facts and documents, we are led to the following conclusions:—

1. Santa Anna is responsible for the several assassinations of prisoners, from the taking of San Patricio on the 27th of February, 1836. He is also responsible for the decree of the Mexican Congress to that effect; for it was notorious, in and out of Mexico, that he dictated and violated the laws at pleasure.

2. The order of the 3d of March, to Urrea, advised him fully of his duty as public executioner. He asked for no further orders as to the prisoners taken at Agua Dulce, Refugio, or elsewhere. He kept no prisoners!

3. Urrea's diary exhibits so many falsehoods, that it utterly discredits him. For instance, as to the number of his killed and wounded at the Coleta, and as to the number of prisoners by him there taken.

4. Urrea agreed to the *capitulation* with Fannin, intending at the time to violate it, for which reason his intercourse was with Fannin himself. His force was five times that of Fannin, and he feared a court-martial if he adhered to the capitulation; and he feared the result of a renewal of the battle if he did not agree to it. Hence *treachery* was resorted to.

5. The Indian colonel Portilla knew for what purpose he and his Indian command had been sent to Goliad, and wrote to Urrea as if the latter knew.

6. The diary of Urrea, that of Portilla, and the manifesto of Santa Anna, were all manufactured *after* the civilized world had pronounced upon the atrocity of these assassinations.

7. There is very strong circumstantial evidence to show that Santa Anna knew there had been a capitulation before he sent the order to Portilla to execute the prisoners. One circumstance was, the violation of a well-known military rule, in sending the order directly to Portilla, and not to Urrea, one of the parties to the capitulation. Another was, the statement of Santa Anna himself that, if he had known it, he would have petitioned the Congress, on the score of humanity, and not of good faith.

APPENDIX NO. V

TREATY OF VELASCO, MAY 14, 1836.

PUBLIC AGREEMENT

Articles of Agreement entered into between His Excellency David G. Burnet, *President of the Republic of Texas, of the one part, and His Excellency General* Antonio Lopez de Santa Anna, *President-General-in-Chief of the Mexican Army, of the other part:—*

Article 1. General Antonio Lopez de Santa Anna agrees that he will not take up arms, nor will he exercise his influence to cause them to be taken up, against the people of Texas, during the present war of independence.

Article 2. All hostilities between the Mexican and Texan troops will cease immediately, both on land and water.

Article 3. The Mexican troops will evacuate the territory of Texas, passing to the other side of the Rio Grande del Norte.

Article 4. The Mexican army, in its retreat, shall not take the property of any person without his consent and just indemnification, using only such articles as may be necessary for its subsistence, in cases where the owners may not be present, and remitting to the commander of the army of Texas, or to the commissioners to be appointed for the adjustment of such matters, an account of the value of the property consumed, the place where taken, and the name of the owner, if it can be ascertained.

ARTICLE 5. That all private property, including horses, cattle, negro slaves, or indentured persons of whatever denomination, that may have been captured by any portion of the Mexican army, or may have taken refuge in the said army, since the commencement of the late invasion, shall be restored to the commander of the Texan army, or to such other persons as may be appointed by the government of Texas to receive them.

ARTICLE 6. The troops of both armies will refrain from coming into contact with each other; and, to this end, the commander of the army of Texas will be careful not to approach within a shorter distance of the Mexican army than five leagues.*

ARTICLE 7. The Mexican army shall not make any other delay on its march than that which is necessary to take up their hospitals, baggage, &c., and to cross the rivers. Any delay, not necessary to these purposes, to be considered an infraction of this agreement.

ARTICLE 8. By express, to be immediately despatched, this agreement shall be sent to General Filisola, and to General T. J. Rusk, commander of the Texan army, in order that they may be apprized of its stipulations; and, to this end, they will exchange engagements to comply with the same.

ARTICLE 9. That all Texan prisoners now in possession of the Mexican army, or its authorities, be forthwith released, and furnished with free passports to return to their homes; in consideration of which a corresponding number of Mexican prisoners, rank and file, now in possession of the government of Texas, shall be immediately released. The remainder of the Mexican prisoners, that continue in possession of the government of Texas, to be treated with due humanity: any extraordinry comforts that may be furnished them to be at the charge of the government of Mexico.

ARTICLE 10. General Antonio Lopez de Santa Anna will be sent to Vera Cruz, as soon as it shall be deemed proper.

The contracting parties sign this instrument for the above-mentioned purposes, by duplicate, at the port of Velasco, this the 14th day of May, 1836.

DAVID G. BURNET,
ANT°. LOPEZ DE SANTA ANNA.

JAMES COLLINGSWORTH, *Secretary of State.*
BAILEY HARDEMAN, *Secretary of the Treasury.*
P H. GRAYSON, *Attorney-General.*

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* Nearly thirteen and one sixth miles.

SECRET AGREEMENT.

Antonio Lopez de Santa Anna, *General-in-Chief of the Army of Operations, and President of the Republic of Mexico, before the Government established in Texas, solemnly pledges himself to fulfil the Stipulations contained in the following Articles, so far as concerns himself:—*

Article 1. He will not take up arms, nor cause them to be taken up, against the people of Texas, during the present war for independence.

Article 2. He will give his orders that, in the shortest time, the Mexican troops may leave the territory of Texas.

Article 3. He will so prepare matters in the cabinet of Mexico, that the mission that may be sent thither by the government of Texas may be well received, and that by means of negotiations all differences may be settled, and the independence that has been declared by the convention may be acknowledged.

Article 4. A treaty of commerce, amity, and limits, will be established between Mexico and Texas, the territory of the latter not to extend beyond the Rio Bravo del Norte.

Article 5. The present return of General Santa Anna to Vera Cruz being indispensable for the purpose of effecting his solemn engagements, the government of Texas will provide for his immediate embarkation for said port.

Article 6. This instrument, being obligatory on one part as well as on the other, will be signed in duplicate, remaining folded and sealed until the negotiations shall have been concluded, when it will be restored to his excellency General Santa Anna; no use of it to be made before that time, unless there should be an infraction by either of the contracting parties.

Port of Velasco, *May the 14th*, 1836.

ANT^{o}. LOPEZ DE SANTA ANNA,
DAVID G. BURNET.

James Collingsworth, *Secretary of State.*
Bailey Hardeman, *Secretary of the Treasury.*
P. H. Grayson, *Attorney-General.*

Ratification of the Public Agreement by FILISOLA, *in accordance with the Provision of the 8th Article.*

RIVULET OF MUGERERO.

ON the 26th day of the month of May, of the current year, Benjamin F. Smith, colonel in the army of Texas, and Henry Teal, captain of the same, having presented themselves in the tent of his excellency Vicente Filisola, general-in-chief of the Mexican army of operations, and delivered a paper, which was directed, through them, to said General Filisola, by his excellency the president-general Antonio Lopez de Santa Anna; and Colonel Smith, at the same time, making known that he came competently authorized (according to his credentials, which he exhibited for the purpose, signed by his general, Thomas J. Rusk), in order to ratify in his name the fulfilment of the papers referred to, which contain the treaty of armistice concluded between General Santa Anna and the government of Texas, on the 14th instant: in consequence, General Filisola, on receiving these documents, named, for their examination and explanation with the commissioners, Eugene Tolsa, general of the Mexican army, and Colonel Augustine Amat, who, after having fulfilled their commission in the terms specified, informed his excellency; and he, after having heard them, agreed on his part religiously to comply, as far as in the ten articles of which it consists, it has reference to the army—in the same manner as the general and army of the Texans are bound on their part.

Both contracting parties also agreed that some commissioners might be named on the part of General Rusk, who should march, either with or separately from the Mexican army, with the necessary information, in order that they might make proper remonstrances, conformably to what is expressed in the said treaties, with the understanding that everything belonging to them, that exists in the army of operations, shall be delivered to them. And, for the evidence and compliance by both parties, the two belligerent parties agreed to extend in duplicate the present document with the commissioners.

EUGENE TOLSA, HENRY TEAL,
AUGUSTINE AMAT, BENJAMIN F. SMITH,
VICENTE FILISOLA.

APPENDIX NO. VI

GEN. SANTA ANNA TO GEN. SAM HOUSTON.

[TRANSLATION.]

ORAZIMBA, *November* 5, 1836.

To His Excellency General Sam Houston: —

MY ESTEEMED SIR: Through the channel of your commissioners, and by my conversation with you on the 2d instant, I have manifested to you the importance of my visit to Washington city, to adopt the most effectual mode of terminating the Texan question; and, as time is passing, without any definite action, when it is most precious, I am desirous that you, who are so deeply interested in the welfare of this country, should expedite the final determination of this question — using, if you should deem it advisable, the following reasons: —

When the treaty of the 14th of May was entered into, it was based upon the principle that Texas should form an independent nation, and should acquire a legal existence by means of the acknowledgment of Mexico. But, as that basis has been changed by the recent declaration of the people of Texas in favor of annexation to the United States of the North, it appears to me that, by this declaration, the question is much simplified; because, in future, it will appertain to the cabinet at Washington to regulate this matter, and with whom Mexico will not hesitate to enter into explanations, as a definite treaty is desired.

The mode of effecting this important object, without loss of time, is what I hope to attain by my conference with the cabinet at Washington, at the same time conciliating all interests. Convinced as I am that Texas will never reunite with Mexico, I am desirous, on my part, to improve the advantages which may offer, and avoid the sacrifices which will occur should an imprudent attempt be made to reconquer this country, which has hitherto proved more detrimental than beneficial: consequently reducing the Texan question to this single point—*the regulation of the limits between the United States and Mexico (al arreglo de limites entre los Estados Unidos y Mexico)*, which, you are aware, has been pending many years, and may be fixed at the Nueces, del Norte, or any other boundary, as may be decided on at Washington. Thus, disagreeable discussions, which might delay the definite termination of this question, or cause a difference between two friendly nations, will be avoided.

This, in substance, is a plain, safe, and speedy mode of terminating this important matter; and, as all are interested, it becomes necessary that you facilitate my journey to Washington with the least possible delay.

In regard to the stipulation in the secret treaty, that my journey should be direct to Vera Cruz, there will be no surprise when the reasons why I first go to Washington city are known; and, should I be sent the latter route, I would like that Messrs. Hockley, Patton, and Bee, should accompany me. Should it meet your approbation, you can commission them for that purpose.

I conclude by repeating to you what I have said, both verbally and in writing—that my name, already known to the world, shall not be tarnished by any unworthy action. Gratitude is my characteristic; so you will have nothing, on your part, to repent. To you I owe my existence, and many favors of which I am deeply impressed; and these I will endeavor to reciprocate as they so justly deserve.

I have the honor to remain
Your most obedient servant,
ANTONIO LOPEZ DE SANTA ANNA.

P. S.—If you have no use for General Jackson's letter, I will thank you to return it by Major Patton.

L. DE S^{TA}. ANNA.

APPENDIX NO. VII.

SKETCH OF THE RISE AND PROGRESS
OF THE DIFFERENT
RELIGIOUS PROTESTANT DENOMINATIONS OF CHRISTIANS
IN TEXAS.

PROTESTANT EPISCOPAL CHURCH.*

Prior to the year 1838, no effectual effort seems to have been made by the protestant episcopal church in the United States to introduce and establish her polity and worship in a region so recently gained from the power of popery. True, there had been instances of *professed* clergymen speaking in her name; but they were *hirelings*, whose voice the sheep knew not. No missionary had yet been sent forth with power from her organized agencies to gather and provide spiritually for the scattered sheep of her fold who had found a home in the young republic. Her rulers seem hardly to have awakened to the growing importance of the country. In that year, however, the Rev. Caleb S. Ives, a devoted and faithful preacher and teacher, arrived as a missionary at Matagorda, where he soon gathered a congregation, established a flourishing school, and built a church. He continued his unwearied efforts until 1849, when he died, leaving a large congregation of Christian worshippers as the result of his labors.

In the fall of 1838, another clergyman, Rev. R. M. Chapman, was stationed at Houston, the seat of government, as a missionary. He, too, was zealous and faithful, but from his youth and inexperience was unequal to the demands of his position. He, however, organised a parish, and officiated for eight or nine months at Houston and neighboring places. Early in 1840 his place was temporarily supplied by Rev. Henry B. Goodwin, who, being on a visit to the country, acted as rector of the new parish for several months, and visited the interior as far as Austin.

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* From a statement furnished by Peter W. Gray, Esq.

In the spring of 1840, the Rt. Rev. Leonidas Polk (now of Louisiana), then missionary bishop, in company with the Rev. Dr. Page, visited many of the most prominent points between the Trinity and Colorado. He made a favorable report to the church, of the prospects of the country, and, in the general convention of 1841, urged the appointment of a bishop for Texas. In January of that year, the Rev. Benjamin Eaton was sent out as a missionary to Galveston and Houston. For some time he officiated alternately at the two places; but having, in 1842, organized a parish and built a church at the former place, he settled there as rector of that parish.

In the spring of 1843, the parish at Houston was again supplied by the Rev. Charles Gillette. He had been sent as a missionary, and by his faithful labors soon gathered a strong congregation, and erected a church, of which he became rector.

In 1844, Bishop Polk again visited the churches in Texas, and in the fall of that year again urged upon the general convention the importance of sending a bishop for the supervision of the interests of the church in Texas, which was increasing in numbers and influence. This measure, which had miscarried in 1841, now met with more favor, and was partially effected by the election and consecration of the Rt. Rev. George W. Freeman as missionary bishop of Arkansas, &c., "with supervision over the churches in the republic Texas." Bishop Freeman has, accordingly, visited the churches of Texas annually, and greatly to their advantage, from the time of his appointment.

During the years 1846, 1847, and 1848, the number of ministers was increased by the appointment of three missionaries for Brazoria, Washington, and San Augustine and Nacogdoches.

On the 1st of January, 1849, the several churches and parishes, represented by their ministers and lay-delegates, met in convention at Matagorda, in pursuance of the call of Bishop Freeman, and there organized a separate diocese under the constitution and canons of the protestant episcopal church of the United States. This organization was approved, and the diocese admitted into union with the general convention at its triennial meeting in October, 1850. At the time of this organization there were six clergymen of this church in Texas, six organized parishes, and three churches built, two only of which supported their ministers without aid from the missionary fund.

In 1853, there were reported ten clergymen (four more were added in 1854), sixteen parishes, four of which are self-supporting, nine churches, and five hundred communicants. Over fifteen thousand dollars were contributed for church purposes (other than ministers' salaries); and there has been established a diocesan school at Anderson, under the control of the convention of the church, having, by charter, collegiate powers. At this school there were, in 1854, one hundred students.

PRESBYTERIAN CHURCH.*

THE presbyterian church can hardly be claimed as a pioneer church in the occupation of Texas. About the year 1838, the Rev. Hugh Wilson arrived in the new republic. He was among the first, if not the very first, presbyterian minister upon her soil. He organized a presbyterian church in San Augustine shortly after his arrival, and the year following another church at Independence. He was a single-hearted, laborious, apostolic man; his usefulness, sacrifices, perseverance, and real worth, place him in an honorable position among the first ministers of the gospel in Texas.

A few months later the Rev. Daniel Baker landed as a missionary on Galveston island, for which purpose he had, with the approbation of his presbytery, resigned the pastoral care of the church in Tuscaloosa, Alabama. He found in Galveston the Rev. John M'Culloch, who, under great disadvantages, had been preaching as he had opportunity. At that time the moral foundation of society upon the island was just being laid. A sabbath-school had been organized, and was in successful operation. For some weeks, Dr. Baker preached in the place, and frequently united and conducted public worship at the military station, and among the naval forces of the republic, and had the pleasure to see one of the soldiers make a profession of religion.

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* Old school.—From notes furnished by Rev. William M. Baker.

This is believed to have been the first instance of a profession of religion ever made on the island. On the last sabbath of his stay there, the sacrament of the Lord's supper was administered, it having been, for the first time, administered two weeks before by a minister of another denomination. On this occasion some six or seven professed conversion, two of whom were publicly baptized according to the form of the presbyterian church. These were the first ever baptized in Galveston. Shortly after Dr. Baker's departure, a church was organized by Rev. John M'Culloch.

From Galveston, Dr. Baker visited and labored in Houston. He had been preceded there by Rev. William Y. Allen, a presbyterian minister, who had been for some time faithfully preaching there, though under great discouragement. From Houston, Dr. Baker visited Columbia and Washington. In the latter place, he found the magistrate holding court on sabbath morning! In the afternoon and at night, however, the place of worship was well attended. It seems that, at that time, there was not a single professor of religion in the town. The Rev. R. Alexander, a most excellent methodist minister, had been preaching there occasionally, but it was with some opposition. The people generally were not at all religiously inclined; some were exceedingly wicked. In proof of this, "mock prayer-meetings" were held. At one of these meetings a shocking accident occurred. While the mock-worship was going on, and one half-drunk was mimicking a certain preacher, and the audience laughing immoderately, a pistol was accidentally discharged, which killed one of them—so suddenly that, the features not having time to relax, he presented the appearance of a laughing corpse! The beautiful churches, now adorning that place, bear witness to the happy change in Washington.

From Washington, Dr. Baker proceeded to Independence. There, at the Chrisman schoolhouse, on the 3d of April, 1840, was organized the presbytery of Brasos—the first presbytery in Texas. It was composed of Rev. Hugh Wilson, presbytery of south Alabama; Rev. John M'Culloch, Newton presbytery, New Jersey; Rev. William Y. Allen, presbytery of the western district of Tennessee; Mr. John M'Farland, ruling elder from the church at Independence; and Rev. Daniel Baker, present as corresponding member.

For a time the presbytery remained independent of the general assembly in the United States, but finally united with it. Soon after this the Rev. William C. Blair, Rev. P. H. Fullenwider, Rev.

J. J. Henderson, and Rev. Francis Rutherford, arrived and united with the presbytery.

In 1846 the presbytery was received in connection with the synod of Mississippi. In 1850 it was divided into three presbyteries, for the purpose of being organized into a synod of Texas, which met in Austin city in 1851. Since then the growth of the church in the state has been steady. In 1854 the presbytery of central Texas was organized. Churches have been organized and ministers established in all parts of the state, and the future opens brightly.

The educational movements of the presbyterian church commenced early. Previous to 1840, Rev. William L. M'Calla, a minister of the church, had travelled extensively over the state, having in view the establishment of a university at Galveston. In 1844 an institution of learning at Nacogdoches was taken under the care of the church. In 1846 steps were taken to establish an institution of a high character in western Texas, and Rev. John M'Culloch visited the United States as agent for it. In 1849 Austin college was established at Huntsville, through the instrumentality of Dr. Baker, and is now in a flourishing condition. Earnest efforts are being made to build up another at Goliad.

In education, as in the organization of churches, the presbyterian interest may seem slow in its operations; but it is *sure*. The denomination, like the Texas live-oak, gradually, almost imperceptibly, extends its branches to the light, the air, and the dew; but it tends to a sturdy magnificent growth, whose evergreen-glory, by the blessing of God, knows no alternation of season.

THE BAPTIST CHURCH.*

The first Baptist minister who preached in Texas was the Rev. Joseph Bays, who emigrated from Missouri, in company with Joseph Lindley, and preached on Peach creek, on the west side of the Brasos, in 1826. In the latter part of 1827 he removed to San Augustine, where he continued his labors until he was compelled by the Mexican authorities to leave.

In 1829, Rev. Thomas Hanks, from Tennessee, preached at Moses Shipman's, on the west side of the Brasos. Here the wife of James Allcorn, a deacon in the baptist church, made a profession of religion. Mr. Hanks yet lives in Houston county—an old pioneer, who, having gone forth at an early day to scatter the seeds, has lived to see them grow and ripen into an abundant harvest.

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* From a statement furnished by Rev. J. W. D. Creath.

In 1830 and 1831, Elders George Woodruff and Skelton Allphine emigrated to Texas, and immediately commenced preaching the gospel.

A number of baptists who had emigrated from New York, established in 1829, at San Felipe, a sabbath-school—the first in Texas. It was taught by T. J. Pilgrim, now of Gonzales, but then interpreter of the Spanish language in Austin's colony. The same year a similar school was opened at Matagorda, and the year following on "Old Caney"—all under the auspices of the members of the baptist church.

After this, baptist ministers and members came in with the constantly flowing tide of emigration, and participated with other emigrants in the joys and privations of a new country.

At this time (1853) there are eleven associations of missionary baptists, and about one hundred and fifty churches, and a like number of ministers. The anti-mission baptists have three associations, forty churches, and a like number of ministers. The oldest of these associations is the *Union*, organized in 1840. It now numbers thirty-five churches and one thousand seven hundred and eleven members. The first baptist church organized in Texas was in 1833; the second in 1834–'35. The number of communicants in the baptist church in Texas is between nine and ten thousand.

A charter was granted for the Baylor university, by the Texas legislature in 1845. It is located at Independence, and is under the control of the baptist church. Its first session opened in July, 1846, with twenty students and one teacher. It has now (1853) eight professors and one hundred and seventy-five students. I has invested in buildings and an endowment fund, between forty and fifty thousand dollars. The Rev. Mr. Burleson is the worthy president of this institution.

METHODIST EPISCOPAL CHURCH.[*]

THE first methodist preacher in regular standing that visited and preached in Texas, was the Rev. Henry Stephenson, whose memory is yet cherished by some of the early settlers. He was a man of deep piety and ardent zeal, and abundant in labors and usefulness in Arkansas, Louisiana, and Texas. He preached in what is now Red river county, but then claimed by the United States, as early as 1818. The Rev. J. P. Sneed, then of Mississippi conference, but now living on the Brasos, fixes the first visit of the Rev. Mr. Stephenson to Texas proper in 1822. It is probable he did not visit western Texas until 1824. At that time he preached the first protestant sermon west of the Brasos near San Felipe. There were four families present. He also preached about the same time where the town of Washington now stands.

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[*] From a statement of Rev. Robert Alexander.

The first camp-meeting held in Texas was in 1833, ten miles east of San Augustine. James Stephenson, Enoch Talley (of the Mississippi conference), and Sumner Bacon, were the preachers on the occasion. There were about eighty persons present; a few professed religion, a church was organized, and a leader appointed. This was the first methodist, if not the first protestant church organized in Texas proper.

In 1834, Rev. Mr. Stephenson was directed to devote one half his time to Texas and the other to Louisiana. This year he held a second camp-meeting in the same place as the first, assisted by J. P. Sneed, Whately, Bacon, English, and one other minister. At this meeting there were twelve tents, some two hundred persons in attendance, and twenty conversions. Colonel M'Mahon was appointed class-leader, which duty he performed with fidelity. Subsequently he and his two sons-in-law became ministers of the gospel. At this camp-meeting a whiskey-shanty was set up, but the audience, with great unanimity, drove the owner, with his liquors, away. In the same year (1834) a camp-meeting was held in Austin county, on one of the west branches of Little Caney creek. It commenced on the 3d of September, under the direction of Rev. H. Stephenson and J. W. Kenney, assisted by Rev. Henry Fullenwider and others. There were eight or ten conversions, and eighteen joined the church by letters. There are many yet living who delight in talking of this camp-meeting. Another was held in the same place in 1835, a quarterly conference organized, of which Dr. William P. Smith was secretary, and the methodist episcopal church memorialized to send regular missionaries to Texas. This was published in the New York Christian Advocate, and, no doubt, called the attention of the church to this field of labor. The revolution, however, delayed efficient action; but in the fall of 1836, a call was made for volunteers. Rev. Dr. M. Ruter was the first to urge the importance of the call, and the first to volunteer. Rev. Littleton Fowler and Rev. Robert Alexander also sent their names to the board of missions. Dr. Ruter had been president of Alleghany college, Littleton Fowler agent for La Grange college, and R. Alexander had occupied Natchez station. The latter set out early in August, 1837, for Texas, and preached as he went, commencing near Gaines's ferry. He spent a month in the Redlands, organized a circuit and quarterly conference, and held a camp-meeting in the M'Mahon settlement. In this he was assisted by the local preachers English, Crawford, Johnson, and Henry Stephenson, jr. The meeting was interesting, the congregation showing an intense desire to hear all the preachers had to say. During the service the rain fell gently for an hour on the unsheltered audience, yet no one left. As an evidence of their eagerness, Mr. Alexander had been invited to preach at Mr. Hale's, a few miles west of San Augustine. After preaching at some length to a crowded house, he dismissed them, and retired to lie down — for he was in feeble health, and nearly exhausted. In about an hour, to his surprise, he was waited on by Mr. Hale, and informed that the congregation were waiting to hear another sermon.

From San Augustine, Rev. R. Alexander proceeded to Washington, where he found some who held themselves as methodists and baptists, but the population was recklessly wicked. Thence he went to Little Caney and arranged for a camp-meeting to commence on the 19th of October. With a few friends he cleared off a place in a handsome grove, made a few rough seats of logs and poles, and a preacher's stand. They had a cheering meeting; twenty or thirty professed religion. In the work, Mr. Alexander was assisted by Revs. J. W. M'Kenney, A. Roark, and A. J. M'Gown, the two latter of the Cumberland presbyterian church. A few days after this meeting, Mr. Alexander met his colleague, Littleton Fowler, who had been detained by sickness. Mr. Fowler was a bland, affable, and dignified man, and not only did his work efficiently, but gave character and influence to all his plans and operations. He was a man of strong determination, sanguine, fearless, full of faith and zeal; he was a revivalist. Among his abundant labors he raised a subscription for a methodist church in San Augustine. On the 17th of January, 1838, he attended the ceremony of laying the cornerstone of the building. General Thomas J. Rusk delivered an address on the occasion. It was the corner-stone of the first protestant church ever erected west of the Sabine. He continued his labors in Texas till the 29th of January, 1846, when he died in great peace, leaving the savor of a good name among the early settlers of Texas.

Rev. R. Alexander, after preaching through middle Texas, extending his labors into Robertson's colony, returned to attend the Mississippi conference at Natchez. At Gaines's ferry he met Dr. Ruter, superintendent of the Texas mission, just entering the republic. Dr. Ruter was a man of fine learning, and had left a pleasant situation to enter on the privations and hardships of the Texas mission. The distant spectator may have fancied something of romance in travelling over the Texan prairies; but to the itinerant, with fierce northers, swimming creeks, scanty fare, sleeping out of doors, with the necessity of a sharp look-out for one's horse and scalp, the romance gave place to very solemn reflections. But Dr. Ruter had counted the cost, before offering himself for the Texas work. He made himself at home everywhere, and as he went he preached to congregations, or families. In the short space of five months he had visited the towns and settlements as far as the Colorado. But his labors were too great for him, and he fell a martyr at an early day of his mission. He was buried on a piece of ground in Washington, that he had procured for the purpose of erecting on it a church. The church has since been built by his grave, and bears the name of the venerable missionary.

Dr. Ruter was well known in the United States, and the melancholy news of his death aroused a missionary spirit in the methodist church, which brought scores of her ministry to the great field of labor in Texas. Thus the work was so extended as to have preaching in every settlement. Among these missionaries was Paul Denton, a remarkable man. Left an orphan, and placed in one of the most degraded families in Arkansas, he performed the meanest work of a servant such as cooking, washing, and scouring. Until he was twelve years of age he was a stranger to a hat or shoes. So soon as he got old enough to see his ignorant and wretched condition, he fled from his oppressors, and wrought for himself. At a very early age he married; and besides the labor of supporting his family, he learned the alphabet, and then to read. He became a licensed preacher. His powers were unknown to himself as well as to the world, until both were astonished alike at his success. He was a man of good personal appearance, agreeable manners, and dignified deportment. In his sermons he rose with his subject: his figures were original, drawn from nature, and always apposite. His selection of words was the very best; and in his ornate flights he seemed to test the strength of the English language. Mingled with his lofty imagery was a strength of intellect equal to the importance of his subject. Paul Denton's first efforts were in the Redlands of eastern Texas; but he subsequently removed to the northern part of the republic. To drive back the savages he raised a company and marched against them. In a battle fought with them he was killed. Texas has honored his name by giving it to one of her northern counties.

On December, 25th 1839, the Texas conference was organized at Rutersville, Fayette county, Bishop Waugh of Baltimore presiding. In 1844 the Texas conference was divided, and the Eastern Texas conference laid off. The following table will exhibit the numbers, &c., at the periods stated:—

STATISTICS OF THE METHODIST EPISCOPAL CHURCH IN TEXAS.

Year.	No. Members.	Local Ministers.	Increase of Members.	Increase of Loc. Min'rs.	Remarks.
1840	1,853	25	——	—	
1841	2,759	36	906	11	
1842	3,698	40	939	4	
1843	4,970	55	1,272	15	
1844	6,090	64	1,120	9	Conference divided.
1845	6,624	68	584	4	
1846	6,989	93	365	25	
1847	8,150	125	1,161	32	
1848	——	——	——	—	No report from Conference of Eastern Texas.
1849	12,154	173	4,004	48	
1850	12,614	188	460	15	
1851	13,356	217	742	29	
1852	14,573	217	1,217	—	
1853	18,316	243	3,743	26	

In the above table the travelling preachers are not given. In 1840 they were about twenty in number: in 1853, about one hundred and thirty-five. Total members in 1853, eighteen thousand six hundred and ninety-four.

The methodist church in Texas have in their charge the following institutions of learning:—

1. Rutersville College, Fayette county.—Wm. Halsey, president.
2. Chapel Hill Male and Female Institute.—A. Ruter, president.
3. Andrew Female College, Huntsville.—Dr. Follansbee, president.

4. Bastrop Male and Female Academy.—Mr. Hancock, principal.
5. Fowler Institute, Henderson.
6. Paine Female Academy, Goliad.
7. Young Men's High School, Red River county.—Rev. Mr. M'Kenzie, president.
8. Cedar Mountain Academy.—Rev. R. Crawford, principal.

CUMBERLAND PRESBYTERIAN CHURCH.*

THIS comparatively modern branch of the church has not been wanting in zeal in the movement toward Texas. As early as 1828, Rev. Sumner Bacon penetrated as far as San Felipe. He was a native of Massachusetts, had served his period of enlistment in the United States army, and then became a minister of the gospel. In his journeyings through Texas he preached wherever he could. He was a man of scrupulous honesty, of untiring energy, and punctual in all his engagements and promises. Though of a rough exterior, he had a soul of love, and was utterly fearless of all danger. He continued preaching in Texas until 1832, when he obtained the appointment of bible agent. He scattered the word of God from San Antonio to the Sabine. On one occasion, in the Tanahaw settlement, he was surrounded by a gang of rowdies, who took him, and proposed instantly to put him to death. He asked his captors that they should first join him in prayer. They refused to do this; but while he alone addressed the throne of grace, they were silent. When he had concluded they went away and left him. On another occasion, while he was distributing the Bible, Colonel James Gaines reported him to Colonel Bean, then acting as commandant at Nacogdoches. Hearing of the charge, he went to see Bean, and admitted it. Bean told him to go on and distribute as many as he chose, so he did not disturb the peace.

While Bacon and others were preparing to hold a meeting, not far from San Augustine, it was understood that certain persons would break it up. Colonel Bowie, hearing of it, went to the place where the meeting was to be held, and making a sign of the cross on the ground, informed them that he was captain in those parts, and that the meeting should be held. They knew Bowie, and the meeting proceeded quietly.

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* From notes furnished by Rev. A. J. M'Gown.

About the year 1833, Rev. Milton Estill came to Texas, and established the first church of this order, in Red River county—then supposed to be Miller county, Arkansas. In 1836 Bacon organized another church, in San Augustine county. In the fall of that year he repaired to the Mississippi synod of the Cumberland presbyterian church, and applied for and obtained an order to organize a presbytery in Texas, so soon as three of their ministers were present. On his return he organized several churches in eastern Texas.

In the spring of 1837, Revs. Amos Roark and Mitchell Smith came to Texas. In the winter of that year the first presbytery was organized, five miles east of San Augustine. In 1838, Revs. James M'Donald, Milton Moore, and Samuel W. Frazier, came to Texas. The latter, who was chaplain to the Texan Congress, died that winter. Between 1838 and 1841, a number of other churches were organized. In the last-named year three presbyteries were formed out of Texas presbytery. They were called *Texas, Red River*, and *Colorado.*

In the fall of 1842, a synod was organized near Nacogdoches, at which Rev. Sumner Bacon presided. Shortly afterward this good man died. By the year 1849, there were six presbyteries in Texas. This induced the church during that year to organize the Brasos synod. In 1853, Brasos synod was divided into Brasos and Colorado synods.

At present (1854) there are three synods, ten presbyteries, over a hundred ministers, and over four thousand communicants.

This church has under its patronage Chapel Hill college, in Titus county, of which Rev. William E. Beason is president, Seguin high school, lately purchased, and some other schools of minor character.

APPENDIX NO. VIII.

LETTER FROM HOUSTON TO SANTA ANNA.

EXECUTIVE DEPARTMENT, CITY OF HOUSTON, *March* 21, 1842.

To His Excellency Antonio Lopez de Santa Anna, President of Mexico:

MOST EXCELLENT SIR: Your communications to Mr. Bee and General Hamilton, dated at the palace of the government of Mexico, have been recently presented to my notice. At the first convenient leisure, I have not failed to appropriate my attention to the subjects embraced within the scope of your remarks.

They would have met a more ready attention had it not been for a marauding incursion made by a Mexican force upon the defenceless town of San Antonio, on the inhabited frontier of Texas. Apprehending that the force had some other character than that of bandits and plunderers—commanded, as it was by regular officers—it produced a momentary excitement, and claimed the attention of the executive; but, as the bandits have withdrawn, characterizing their retreat by pillage and plunder, as has been usual with Mexicans, I am left at leisure to resume in tranquillity the duties of my station.

In reference to your correspondence with Mr. Bee and General Hamilton, I have no remark to make in reference to the communications which those gentlemen assumed the individual responsibility of making to you. The very nature of the correspondence manifests the fact that it was not done under the sanction of this government, but rests solely upon their action as individuals. Had your response regarded them in the light in which they were presented to you, it would have superseded the necessity of any notice from me; but, as you have thought proper to laud my conduct as an individual, and refer to transactions connected with this country with which I had official identity—and which I also at this time possess—and as you have taken the liberty, to an unwarrantable extent, to animadvert upon circumstances connected with Texas as a nation, I feel myself impelled by a sense of duty to refute a portion of the calumnies which you have presented to the world, under the sanction of your official averment.

You appear to have seized upon the flimsy pretext of confidential communications, unknown to the officers of this government, and unknown to the world, until divulged by you, for the purpose of manufacturing a capital of popularity at home, and which you have submitted to the world as a manifesto in behalf of what you are pleased to term the rights of a great nation, "by so many titles respectable."

Whatever opinions you may have entertained in relation to the difficulties existing between Mexico and Texas, can not materially vary the facts and principles involved, nor will they materially influence the decision of mankind upon the justice of our cause.

Decency and self-respect, at least, should have induced on your part the pursuit of a course different from that which you have adopted. The abuse and ribald epithets which you have applied to the citizens of this country, as well as those of the Mississippi valley of the United States, are doubtless characteristic of the individual who gave them utterance. So far as the people of this country are concerned, I shall refer mankind to a history of facts and circumstances connected with the settlement of the country. I shall pass, with slight notice, your remarks relative to the people of the United States. So far as our origin is connected with them, and a unity of sympathy exists, we are proud to hail them as our kindred—kindred in blood, kindred in laws, kindred in all the ennobling attributes of humanity. They will hear your idle taunts of defiance with the same contempt and derision that Texans regard your silly gasconade. If they have heretofore sympathized with us in our struggle for liberty and independence, it was from a knowledge of the fact that we had been deceived and oppressed by Mexico, and that the cause in which we were engaged was that of humanity struggling against usurpation and despotism.

The people of Texas were invited to immigrate to this country for the purpose of enjoying equal rights and constitutional liberty.

They were promised the shield of the constitution of 1824, adopted by Mexico. Confiding in this pledge, they removed to the country to encounter all the privations of a wilderness, under the alluring promise of free institutions. Other reasons operated also. Citizens of the United States had engaged in the revolution of Mexico in 1812. They fought gallantly in the achievement of Mexican independence; and many of them survive, and to this day occupy the soil which their privations and valor assisted in achieving. On their removal here, they brought with them no aspirations or projects but such as were loyal to the constitution of Mexico. They repelled the Indian savages, they encountered every discomfort, they subdued the wilderness, and converted into cultivated fields the idle waste of this now-prolific territory. Their courage and enterprise achieved that which the imbecility of your countrymen had either neglected or left for centuries unaccomplished. Their situation was not, however, disregarded by Mexico; though she did not, as might have been expected, extend to them a protecting and fostering care, but viewed them as objects of cupidity, and at last of jealousy.

The Texans, enduring the annoyances and oppressions inflicted upon them, remained faithful to the constitution of Mexico. In 1832, when an attempt was made to destroy that constitution, and when you, sir, threw yourself forward as its avowed champion, you were sustained with all the fidelity and valor that freemen could contribute. On the avowal of your principles, and in accordance with them, the citizens put down the serviles of despotism at Anahuac, Velasco, and Nacogdoches. They treated the captives of that struggle with humanity, and sent them to Mexico, subject to your orders. They regarded you as the friend of liberty and free institutions; they hailed you as the benefactor of mankind. Your name and your actions were lauded, and the manifestations you had given in behalf of the nation were themes of satisfaction and delight to the Texan patriots.

You can well imagine the transition of feeling which ensued on your accession to power. Your subversion of the constitution of 1824, your establishment of centralism, your conquest of Zacatecas, characterized by every act of violence, cruelty, and rapine, inflicted upon us the deepest astonishment. We realized all the uncertainty of men awaking to reality from the unconsciousness of delirium. In succession came your order for the Texans to surrender their private arms. The mask was thrown aside, and the monster of despotism displayed in all the habiliments of loathsome detestation. Then was presented to Texans the alternative of tamely crouching to the tyrant's lash, or exalting themselves to the attributes of freemen. They chose the latter. To chastise them for their presumption, induced your advance upon Texas with your boasted veteran army, a force in number nearly equal to the whole population of the country at that time. You besieged and took the Alamo—but under what circumstances? Not those, surely, which should characterize a general of the nineteenth century. You assailed one hundred and fifty men, destitute of every supply requisite for the defence of the place. Its brave defenders, worn down by vigilance and duty beyond the power of human nature to sustain, were at length overwhelmed by a force of nine thousand men, and the place taken. I ask you, sir, what scenes followed? Were they such as should characterize an able general, a magnanimous warrior, and the president of a great nation, numbering eight millions of souls? No!—manliness and generosity would sicken at the recital of the scenes incident to your success; and Humanity herself would blush to class you among the chivalric spirits of the age of vandalism! This you have been pleased to class in the "succession of your victories"—and, I presume, you would next include the massacre at Goliad. Your triumph there, if such you are pleased to term it, was not the triumph of arms: it was the success of perfidy! Fannin and his brave companions had beaten back and defied your veteran soldiers. Although outnumbered more than seven to one, their valiant, hearty, and indomitable courage, with holy devotion to the cause of freedom, foiled every effort directed by your general to insure his success by arms. He had recourse to a flag of truce; and, when the surrender of the little patriot-band was secured by the most solemn treaty stipulations, what were the tragic scenes that ensued to Mexican perfidy? The conditions of their surrender were submitted to you, and—though you have denied the facts—instead of restoring them to liberty, according to the conditions of the capitulation, you ordered them to be executed, contrary to every pledge given them, contrary to the rules of war, and contrary to every principle of humanity! Yet, at this day, you have the effrontery to animadvert upon the conduct of Texans relative to your captivity after the battle of San Jacinto!

You have presumed to arraign the conduct of the then existing cabinet, and to charge it with bad faith; and, though you are pleased to commend the conduct of the illustrious Stephen F. Austin, the father of Texas, and myself, for acts of generosity exercised toward you, you take much care to insinuate that we only were capable of appreciating your proper merits. That you may no longer be induced to misconstrue acts of generosity and appropriate them to the gratification of your self-complacent disposition, I will inform you that they were acts of magnanimity characteristic of the nation to which we belong. They had nothing to do with your merits or demerits. The perfidy and cruelty which had been exercised toward our companions-in-arms did not enter into our calculation. Your sacrifice would not restore to our gallant companions their lives, nor to our country their services. Although the laws of war would have justified retaliation by your execution, yet it would have characterized the acts of the nation as influenced by passion and revenge; and would have evinced to the world that individuals, who had an influence on the destinies of a people, were subject to the capricious impulses of vengeance, of which you had so recently set an example. So far as I was concerned in preserving your life, and in your subsequent liberation, I was only influenced by considerations of mercy, humanity, and the establishment of a national character. Humanity was gratified by your preservation; the magnanimous of all nations would have justified your release, had they known how little your influence was dreaded by the Texans. If, upon your return to Mexico, you should have power and a disposition to redeem the pledges you had *voluntarily* made to myself, as well as this government, of an earnest disposition to see the independence of Texas recognised by Mexico, I believed it would have a tendency to restore peace to the two nations, diminish the aggregate sufferings of their citizens, and promote the prosperity of both countries. In the event you were not disposed to redeem the pledges thus given, but to urge the prosecution of the war by Mexico against us, I wished to evince to mankind that Texans had magnanimity, resources, and confidence, sufficient to sustain them against all your influence in favor of their subjugation.

Your liberation was induced by principles such as these; and, though you tendered pledges, doubtless to facilitate and procure your release, they were received, but not accepted as a condition. I believed that pledges made in duress were not obligatory upon the individual making them; and if you intended to exercise the influence which you declared you would do, that unconditional liberty extended to you would interpose no obstacle to their fulfilment.

Without any advertence to any treaty stipulations which you had made with the cabinet of Texas, I gave you your entire liberty, and safe conduct to the city of Washington.

You have asserted to the world that you have given no pledge whatever to the Texan government of your disposition in favor of its separation from Mexico. That the tribunal to which you have appealed may judge of the validity of your assertion, I shall submit, with this communication, a letter of yours addressed to me at Columbia, dated the 5th of November, 1836,* *after my determination to give you your liberty had been communicated.* I shall present it in the original, accompanied with its translation into English. I will also give publicity to a veto which I communicated to the senate, in consequence of a resolution of that honorable body respecting your detention as a prisoner.

You have spoken of events subsequent to the battle of San Jacinto, and endeavor to convey the idea that promises had been extorted from you "under the rifles of a tumultuous soldiery." I am at a loss to comprehend your meaning in this reference. When you were brought into the encampment as a prisoner, the day after the battle, you were conducted to the presence of the commander-in-chief—not amid noise and tumult, nor did any exist. When the character of the prisoner was known to the army, much curiosity was excited; but there was no menace used, or violence offered. You were treated with calmness, and every courtesy extended to you that our situation would afford. Had you been a private gentleman and friend, you could have received no greater facilities than those that were extended to you. As you desired, you were placed near my person, and not sent with the balance of the prisoners. You were informed that you could have your camp-bed and marquee brought to my quarters, where I lay confined with my wound. You were permitted to command the services of your attendants; you were informed also that your baggage should be selected from the spoils taken by the army on the field, which was accordingly done, and never inspected. These privileges were granted by my order. Your aide-de-camp, Colonel Almonté, and your private secretary, were permitted to remain with you in your marquee. A guard was detailed for the purpose of allaying any apprehensions you might have for your personal safety, and every liberty extended to you except your absolute release.

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* See a translation of this letter in Appendix No. VI., p. 530, of this volume.

You submitted propositions to me, embracing the questions of the recognition of Texan independence and the termination of our struggle. I unequivocally refused the acceptance of any offer upon the subject of a treaty—alleging, as reasons, that we had a constitutional government, and the subject would properly come before the cabinet of Texas, the members of which would be present in camp within a few days. You urged the further consideration of your propositions upon me, declaring that you would rather enter into stipulations with a general of the army than with the civil authorities of the country. I positively declined taking any further action upon them; and they were referred to the cabinet, on its arrival. Declining the consideration of your proposals myself, I required you to issue orders forthwith, to the general next in command, to evacuate Texas with the troops composing the Mexican army, and to fall back with them to Monterey. Orders to this effect were issued by you to General Filisola, and despatched by an express, which could not, however, overtake him until he had reached the Colorado, on his retreat, conducted in the greatest panic and confusion. Owing to his precipitate flight, and your execution of my orders, the Mexicans were permitted to leave Texas without further molestation.

In the meantime, General Adrian Woll, of the Mexican army, came into the encampment at San Jacinto, without my knowledge, and not "upon my word of honor;" nor was I apprized of his presence until I learned that he, together with his aide, had been traversing our lines. So soon as I was advised of this fact, I ordered them to my presence, and had them instructed that such conduct would not be tolerated, and caused them to be placed under vigilance. This reason I deemed sufficient to detain General Woll as a prisoner of war. His subsequent conduct to Captain Dimit was such as to justify any unfavorable opinion which I had formed of his character. He had rendered himself so obnoxious to the army, that, from a desire for his personal security, I did not permit his release until he could go in perfect safety. In no respect had the prisoners taken on that occasion reason of complaint. Their lives were all forfeited to the laws of war, conformably to the precedent which you had exhibited. General Cos, who had surrendered, in 1835, a prisoner of war at San Antonio—where one hundred and ninety-five Texans stormed and took the Alamo, with the town, when it was defended by seventeen hundred regular troops of Mexico—was again taken prisoner at San Jacinto, after he had violated his parole of honor, by which he had forfeited his life to the law of arms. Yet, such was the lenity of the Texans, that even *he* was spared, thereby interposing mercy to prevent reclamation being made for the brave Texans perfidiously massacred.

From the 5th of May (1836), I had no connection with the encampment, nor with the treatment which the prisoners received, until the month of October, when I was inducted into the office of chief magistrate of the nation. It is true that you were chained to an iron bar; but not until an attempt had been made to release you, with your knowledge and assent. A vessel had arrived at Orazimba, on the Brasos, where you were confined. In possession of its captain were found wines and other liquors mixed with poison, for the purpose of poisoning the officers and guard in whose charge you were, thereby insuring your escape. In consequence of the sensation produced by this circumstance, you were confined and treated in the manner you have so pathetically portrayed.

While confined by my wound in San Augustine, I learned that it was the intent[illegible] the army to take you to the theatre of Fannin's massacre, and [illegible] to have had you executed. Upon the advertisement of this fact, I immediately sent an express to the army, solemnly protesting against any such act, and interposing every possible obstacle against your further molestation, or any action which might not recognise you as a prisoner of war.

Your recent communications have necessarily awakened advertency to these facts; otherwise they would have remained unrecited by me. Any part which I bore in these transactions is not related in the egotistical style of your communication: it is done alone for the purpose of presenting the lights of history. You have sought to darken its shades, and appeal to the sympathies, and would command the admiration of mankind, and have even invoked the "prismatic tints of romance."

Now, the tribunal to which you have appealed will have an opportunity of contrasting the treatment which you and the prisoners taken at San Jacinto received, with that of those who have fallen within your power, and particularly those perfidiously betrayed on a recent trading-excursion to Santa Fé. You have endeavored to give that explanation the complexion of an invading movement upon the rights of Mexico. To believe you serious in the idle display of words made on this occasion, would be presenting an absurdity to the common sense of the age. Your fears may have given it a character different from that to which it was entitled. Examine the circumstances accompanying it. It was not an act of Texas; Congress had refused to sanction any enterprise of the kind. A number of individuals were anxious to open a lucrative trade—as they believed it would be—with Santa Fé. Such a commerce has been carried on for years by the citizens of the United States, from Missouri; and the preparations, connected with the fact that the citizens took with them a considerable amount of merchandise, show that their enterprise was not one of conquest or invasion. You may allege that it had connection with the government, from the fact that the president identified himself with it, by furnishing arms to those connected with the project. This may have induced you to characterize the expedition as you have in your tirade against Texas. Whatever part the president bore in this transaction was contrary to law and in violation of his duty. A large portion of the people of Texas were not apprized of the existence of such an enterprise. You doubtless would insist that it had means of offence against Mexico. So far as their preparation could give character to the undertaking by carrying with them artillery and other munitions of war, it can be accounted for most readily. They had to pass through a wilderness six hundred miles from the frontier of Texas before they could reach Santa Fé. It was reasonable to suppose they would encounter many hostile tribes of Indians; and it was proper and necessary that they should be in a situation to repel any attack made upon them; and, as their objects were pacific, they were justified in resisting aggression from any quarter. The instructions given to them by the president did not contemplate hostilities, but that the enterprise would terminate without bloodshed or violence. Scientific gentlemen from Europe and the United States accompanied them, not for warlike purposes, but for the purpose of adding rich stores to the treasury of science. It had likewise been communicated to the people of Texas, that all the inhabitants east of the Rio Grande were anxious to enjoy the benefits of our institutions. You can not allege that you were not willing to admit the justice of our claims to the Rio Grande, or that you were not anxious to facilitate the object. Your communication to me on that subject is conclusive; Texans were apprized of it from your repeated declarations to that effect, while in this country, and on your way to Washington city

At the time the expedition started, no hostilities were carried on between this country and Mexico. Commissioners from General Arista were at Austin at the time the party started from Santa Fé. They were kindly received, and made the most sincere professions of amity and reconciliation with this government. They were treated with kindness, and corresponding commissioners appointed to General Arista. To them every civility was extended, and they were permitted to return without molestation. This was the attitude of the two countries at that time. Will you allege that this was not sanctioned by your government?—or will you insist that it was a trick of diplomacy? For myself, I would not have been deluded by any professions which might have been tendered to Texas by Mexico, when a departure from the most solemn pledges would result in injury to the former, and benefit to the latter. That the ministers of General Arista played their parts with fidelity to their instructions, I have no doubt; and that all the information which could be derived, in relation to the trading company, was faithfully transmitted to the government of Mexico. Nor do I doubt but that the population of the northern parts of your country, so soon as the intelligence was received, were thrown into the utmost consternation; and a nation numbering eight millions of people, inhabiting "valleys, mountains, towns, and large cities," "by so many titles respectable," was convulsed at the apprehended approach of three hundred Texan traders. But what has been the sequel of this expedition? On their approach to the settlements of the Rio Grande, they obtained supplies from the inhabitants, not as a hostile and marauding party, but paid a valuable consideration for every supply which they obtained. They were met by the Mexican authorities with overtures of peace, assurances of friendship, and pledges of security, provided they would give up their arms, for the purpose of tranquillizing the Mexican population. Detached, as the company was, into parties remote from each other, and deluded by pledges, they acquiesced in the wishes of the authorities of the country; thereby evincing to them, that they had no disposition to disturb the tranquillity of the inhabitants, and that their objects were pacific. But no sooner were they in the power of the authorities, than they were stripped of their clothing, deprived of everything valuable, treated in the most barbarous manner, and marched like convicts to the capital of Mexico. On their route every act of inhumanity, cruelty, and hatred, was evinced. When their sick and helpless condition required the assistance of Christian charity and humanity, it was denied them. They were barbarously shot, their bodies mangled, and their corpses left unburied. The butchery of M'Allister, Galphin, Yates, and others, appeals to Heaven and this nation for retribution on the heads of their inhuman murderers. You may allege that you did not authorize the perpetration of these outrages, committed upon men who had violated no rule of law known to this civilized age. This will be no excuse for you; your sanction to these acts is as culpable as their perpetration was degrading to their authors. Their detention, by you, as prisoners, may gratify the malignity of little minds; but the just, the chivalric, the brave and generous of all nations, may pity, but must despise your conduct.

Had it not been for the faithless professions tendered to them, and their two credent belief, they could have maintained their position against all the forces of northern Mexico; and, if necessary, could have made good their retreat to their homes, defying the "generous effort of the people of New Mexico." Your conduct on this occasion will present your humanity and sense of propriety in very awkward contrast with the treatment extended to you and your followers after the victory of San Jacinto—being, not as you suppose, one of the "freaks of fortune," but one of the accompaniments of that destiny which will mark the course of Texas until the difficulties between the two countries shall be satisfactorily adjusted.

But you declare that you will not relax your exertions until you have subjugated Texas; that you have "weighed its possible value," and that you are perfectly aware of the magnitude of the task you have undertaken; that you "will not permit a colossus within the limits of Mexico;" that our title is that of "theft and usurpation;" and that the "honor of the Mexican nation demands of you the reclamation of Texas;" that, "if it were an unproductive waste, useless, sterile, yielding nothing desirable, and abounding only in thorns to wound the feet of the traveller," you would not permit it to exist as an independent government, in derision of your national character, your hearths, and your individuality. Allow me to assure you that our title to Texas has a high sanction; that of purchase—because we have performed our conditions; that of conquest—because we have been victorious. It is ours, because you can not subdue us; it has been consecrated ours, by the blood of martyred patriots; it is ours, by the claims of patriotism, superior intelligence, and unsubduable courage. It is not a sterile waste, or a desert; it is the home of freemen; it is the land of promise; it is the garden of America.

Every citizen of Texas was born a freeman, and he would be a recreant to the principles imbibed from his ancestry, if he would not freely peril his life in defence of his home, his liberty, and his country. Although you are pleased to characterize our occupation of Texas and defence of our imprescriptable right, as the "most scandalous robbery of the present age," it is not one fourth of a century since Mexico perpetrated a similar robbery upon the rights of the crown of Spain. The *magnitude* of the theft may give dignity to the robbery; in *that* you have the advantage. That you should thus have characterized a whole nation, I can readily account. Heretofore you entertained the opinion that Mexico could never conquer Texas; that if it were possible for her to drive every Texan from the soil, Mexico could not maintain her position on the Sabine; and the retreat of her army would be the signal for the return of the Anglo-Saxon race, who would re-occupy their homes, and pursue the Mexicans as far as the Rio Grande; and that Mexico, in preservation of the integrity of the territory she then possessed, would gain an advantage by abandoning all hope of conquering Texas, and directing her attention to the improvement of her internal condition. Your recent opinions, as declared by you, appear to be at variance with these speculations; and are most vehemently avowed. It is an attribute of wisdom to change opinions upon conviction of error, and perhaps, for it you are justifiable—at least, I discover you have one attribute of a new convert; you are quite zealous and wordy in the promulgation of the doctrine you have espoused.

Sir, from your lenity and power Texas expects nothing—from your humanity less; and when you invade Texas you will not find thorns to wound the foot of the traveller; but you will find opposed to Mexican breasts, arms wielded by freemen, of unerring certainty, and directed for a purpose not to be eluded. Texans war not for gewgaws and titles. They battle not to sustain dictators or despots. They do not march to the field unwillingly; nor are they dragged to the army in chains, with the mock title of volunteers. For a while they lay by the implements of husbandry, and seize their rifles. They rally in defence of their rights, and when victory has been achieved, they return to the cultivation of the soil. They have laws to protect their rights; their property is their own. They do not bow to the will of a despot; but they bow to the majesty of the constitution and laws. They are freemen indeed. It is not so with your nation; from the alcalde to the dictator, all are tyrants in Mexico; and the community is held in bondage, subject, not to the law, but the will of a superior, and confined in hopeless subjection to usurpation.

In an individual so intelligent as yourself, it does seem to me that you have evinced very bad taste in adverting to the subject of slavery in the internal affairs of this country. Your opinions, while here, on this subject, were freely and frankly avowed. You then believed that it would be of great advantage to Mexico to introduce slave-labor into that country; that it would develop her resources, by enabling her to produce cotton, sugar, and coffee, for purposes of exportation; and that, without it, she would be seriously retarded in her march to greatness and prosperity. Your sympathy and commiseration, at present expressed, are no doubt very sincere; and I only regret that they partake so little of consistency. You boast that Mexico gave the noble and illustrious example of emancipating her slaves. The fact that she has the name of having done so, has enabled you to add another flourish to your rhetoric; but the examination of facts, for one moment, will disclose the truth. The slaves of Mexico, you say, were emancipated: Did you elevate them to the condition of freemen? No, you did not—you gave them the name of freemen, but you reduced the common people to the condition of slaves. It is not uncommon in Mexico for one dignitary, upon his hacienda, to control from one hundred to ten thousand human beings in a state of bondage more abject and intolerable than the negroes on any cotton plantation in this country. If any individual in Mexico owes but twenty-five cents, the creditor, by application to an alcalde, can have him, with his family, decreed to his service, and remain in that state of slavery until he is able to pay the debt from the wages accruing from his labor—after being compelled to subsist his dependent family. This you call *freedom;* and graciously bestow your sympathy upon the African race. The abolitionists of the present day will not feel that they are indebted to you for your support of their cause. Had some one else than the dictator of Mexico, the self-styled "Napoleon of the West," the subverter of the constitution of 1824, the projector of centralism, and the man who endeavors to reduce a nation to slavery, become their advocate, they might have been more sensible of their obligation. So far as its increase can be prevented, our constitution and laws have presented every obstacle. They will be maintained to the letter; and, on account of slavery, Texas will incur no reproach.

You touchingly invite "Texas to cover herself anew with the Mexican flag." You certainly intend this as a mockery. You denied us the enjoyment of the laws under which we came to the country. Her flag was never raised in our behalf; nor has it been seen in Texas except when displayed in an attempt at our subjugation. We know your lenity—we know your mercy—we are ready again to test your powers. You have threatened to plant your banner on the banks of the Sabine. Is this done to intimidate us? Is it done to alarm us? Or do you deem it the most successful mode of conquest? If the latter, it may do to amuse the people surrounding you. If to alarm us, it will amuse those conversant with the history of your last campaign. If to intimidate us, the threat is idle. We have desired peace—you have annoyed our frontier; you have harassed our citizens; you have incarcerated our traders, after your commissioners had been kindly received, and your citizens allowed the privileges of commerce in Texas without molestation. You continue aggression; you will not accord us peace. *We will have it.* You threaten to conquer Texas; we will war with Mexico. You pretensions with ours you have referred to the social world, and to the God of battles. We refer our cause to the same tribunals—the issue involves the fate of nations. Destiny must determine—its event is only known to the tribunal of Heaven. If experience of the past will authorize speculations of the future, the attitude of Mexico is more "problematical" than that of Texas.

In the war which will be conducted by Texas against Mexico, our incentive will not be a love of conquest; it will be to disarm tyranny of its power. We will make no war upon Mexicans, or their religion. Our efforts shall be made in behalf of the liberties of the people; and directed against the authorities of the country, and against *your* principles. We will exalt the condition of the people to representative freedom. They shall choose their own rulers—they shall possess their property in peace; and it shall not be taken from them to support an armed soldiery for purposes of oppression.

With these principles we will march across the Rio Grande, and —believe me, sir—ere the banner of Mexico shall triumphantly float on the banks of the Sabine, the Texan standard of the Single Star, borne by the Anglo-Saxon race, shall display its bright folds, in Liberty's triumph, on the isthmus of Darien.

With the most appropriate consideration, I have the honor to present you my salutations.

Sam Houston.

APPENDIX NO. IX.

LIST OF THE GOVERNORS OF TEXAS.

[This list is not given as perfect. Many of those acting as governors, in the early history of the country, were the commandants of the Presidio of Bexar, and officiating *ad interim.*]

I.—FRENCH DOMINATION.

Robert Cavalier, the Sieur de la Salle	1685
The Sieur Barbier	1687

II.—SPANISH DOMINATION.

Domingo Teran de los Rios (Coahuila and Texas until 1725)	1691
Don Martin D'Alarconne	1718
Marquis of San Miguel de Aguayo	1720
Fernando Perez de Almazan	1723
Melchior de Mediavilla y Arcona (Texas alone until 1824)	1725
Juan Antonio Bustillos y Cevallos	1731
Manuel de Sandoval	1734
Carlos de Franquis	1736
Prudencio de Oribio de Basterra	1738
Justo Boneo	1740
Jacinto de Barrios y Jaurequi	1756
Antonio de Martos y Navarrete	1762
Juan Maria Baron de Ripperda	1770
Domingo Cabello	1778
Rafael Pacheco	1789
Manuel Muñoz	1790
Juan Bautista Elguezabal	1803
Antonio Cordero	1806
Manuel de Salcedo	1810

Juan Bautista Casas assumed the command of the Province, and was confirmed in the same by General Matias Ximenes, one of Hidalgo's Lieutenants, January 22	1811
A Spanish Provisional Junta, under the Presidency of the Sub-Deacon Juan Manuel Zambrano, overthrew Governor Casas, and reinstated Manuel de Salcedo	1811
Salcedo killed by the Republican General Bernardo Gutierres, in 1813, and Texas in a disorganized condition until after the Battle of Medina.	
Christoval Dominguez	1813
Antonio Martinez	1818

III.—MEXICAN DOMINATION.

Trespalacios	1822
By the Decree of the Sovereign Junta of January, 1822, Texas came under the Government of the Eastern Captaincy-General, in which position it remained until the State of "COAHUILA AND TEXAS" was organized under the Constitution of 1824.	
Don Luciana Garcia (acting)	1823
Rafael Gonzales (*ad interim*—Coahuila and Texas united until 1835)	1824
Victor Blanco	1826
José Maria Viesca	1828
José Maria Letona	1831
Francisco Vidauri y Villaseñor (acting)	1834
A Civil War broke out in the State of Coahuila and Texas.—Saltillo *pronounced*, and, on the 19th of July, 1834, appointed José Maria Goribar as Governor.—On the 30th of August, 1834, the Party of Monclova appointed Juan José Elguezabal Governor.—The matter was referred to Santa Anna, who ordered a new Election.	
Augustin Viesca	1835
Revolutionary Councils until November 13	1835
Henry Smith, Provisional Governor until March 17	1836

IV.—INDEPENDENT DOMINATION.

David G. Burnet,	President	(*ad interim*)	1836
Sam Houston,	"	(constitutional)	1836
Mirabeau B. Lamar,	"	"	1838
Sam Houston,	"	"	1841
Anson Jones,	"	"	1844

GENERAL INDEX.

ABDUCTION of Captain Dimit, vol. ii., p. 319.

Adaes, Mission of, i., 50; discontinued, i., 94; further History, i., 109; Spaniards driven from, i., 181.

Agua Dulce, Battle of, ii., 84.

Aguayo, Marquis de, Governor of Coahuila and Texas, i., 67; recommends Colonists, i., 74.

Ahumada, Col. Mateo, marches against the Fredonians, i., 249.

Alamo, History of the, i., 107; Siege of, ii., 76, 211; Notes on the, i., 458.

Albuquerque, Scene at, in 1806, i., 139.

Almonté, Juan N., visits Texas, i., 327; his View of the War, ii., 82; a Prisoner at San Jacinto, ii., 145.

Anahuac, Affair at, i., 290.

Anastase Douay, attends La Salle, i., 40.

Andrews, Richard, killed at Concepcion, i., 375.

Anglo-American Colonies, Progress of, i., 98.

Annexation discussed, ii., 208; Instructions to Texan *Chargé* in regard to, ii., 345; brought forward by United States, ii., 423; Treaty of, ii., 428; rejected by the United States Senate, ii., 431; Effect of it, ii., 431; Resolutions of, passed United States Congress, ii., 440.

Apaches, i., 78.

Apodaca, the Viceroy, Policy of, i., 216.

Archer, Branch T., in the Convention of 1833, i., 311; President of the Consultation, ii., 12; one of the Commissioners to the United States, ii., 13.

Archives, Public, Removal of, ii., 355.

Arkokisa, Spanish Troops at, i., 128.

Armijo, Governor, his Conduct, ii., 326.

Armistice between the Parties of Monclova and Saltillo, i., 323; proposed by Santa Anna to Texas, ii., 408; proclaimed by President Houston, ii., 409; Correspondence relating to, ii., 413; Instructions on, ii., 414; signed by Texan Commissioners, ii., 422; rejected by the President of Texas, ii., 422.

Army, Texan, occupies Head of San Antonio River, ii., 14; Regular proposed, ii., 241; strange Letter from, to President Burnet, ii., 172; Disorders in, ii., 183; Condition in August, 1836, ii., 191; at the Close of 1836, ii., 205; furloughed, ii., 215; Mexican, at the Close of 1836, ii., 206.

Arredondo, General, commands at the Battle of Medina, i., 174.

Artillery, first seen in Texas, i., 22; the "Twin-Sisters," ii., 123.

Atasco Sito Road, i., 128.

Aury, Don Luis, occupies Galveston Island, i., 180; Sketch of him, i., 181; sails to Soto la Marina, i., 185; puts in at Matagorda Bay, i., 193; sails to Amelia Island, i., 194.

Austin, City of, selected as the Capital, ii., 273.

Austin, John, defeats Ugartachea at Velasco, i., 294; dies of Cholera, i., 314.

Austin, Moses, Sketch of, i., 209; obtains first Colony Contract, ii., 210.

Austin, Stephen F., explores Texas, i., 212; Visit to Mexico, i., 214; Return to the Colony, i., 227; Regard for his Colony, i., 309; in the Convention of 1833, i., 311; first Interview with Houston, i., 309; sent with the Memorial to the Supreme Government, i., 312; his Advice to the Texans, i., 314; in Prison in Mexico, i., 315; released from the Prison of the Inquisition, i., 324; View of Santa Anna's Policy, i., 326; returns from Mexico, i., 357; elected to the Command of the Texan Army, i., 368; invites the Consultation to repair to the Army, i., 370; Interview with Houston at the Salado, i., 372; one of the Commissioners to the United States, ii., 14; holds a Council of War at San Antonio, ii., 16; resigns the Command, ii., 18; his Advice, ii., 57; Success in the United States, ii., 176; Return to Texas, ii., 181; Death of, ii., 202.

Austin, William T., aids in the Descent on San Antonio, ii., 14; despatched for Artillery, ii., 108, 110.

Baker, Mosely, Disorganizing Movement of, December 19, 1835, i., 40; ordered to defend the Pass of San Felipe, ii., 115; reinforced, ii., 118.

Barbier, the Sieur, left in Command at St. Bernard, i., 37.

Barradas, General, invades Mexico, i., 269.

Barragan, Defeat of, ii., 375.

Barrataria, Sketch of, i., 187; Buccaneers driven from, i., 188.

Barrett, D. C., Commissioner to General Cos, i., 341; Attempt to make him Judge-Advocate-General, ii., 44.

Battle of Nolan's River, March 22, 1801, i., 114; at Salitre Prairie, i., 158; of Rosalia, March 28, 1813, i., 166; of the Alazan, i., 171; of the Medina, 1813, i., 174; of the "Three Trees," i., 197; near San Saba in 1831, i., 282; of Guadalupe Zacatecas, i., 333; of Gonzales, October 2, 1835, i., 363; of Concepcion, October 28, 1835, i., 373; called the "Grass-Fight," November 26, 1835, ii., 18; over House's Body, November 8, 1835, ii., 19; of Refugio, March 14, 1836, ii., 88; of the Coleta, March 19, 1836, ii., 92; of San Jacinto, ii., 142; with the Indians, November 10, 1837, ii., 228; at José Maria Village, October 25, 1838, ii., 247; at Kickapoo Village, October 16, 1838, ii., 247; with Flores, May 14, 1838, ii., 259; with Cordova, March 26, 1839, ii., 261; with the Camanches, February 15, 1839, ii. 261; with the Indians above Bastrop, February, 1839, ii., 262; on Little River, May 27, 1839, ii., 262; with the Cherokees, July 15, 1839, ii., 268; with the same, July 16, 1839, ii., 269; of Alcantro, October 3, 1839, ii., 275; of Morales, March 15, 1840, ii., 289; of Saltillo, October 23, 1840, ii., 293; of Plum Creek, August 12, 1840, ii., 302; of the Red Fork of the Colorado, October 24, 1840, ii., 304; near Laredo, April 7, 1841, ii., 320; of Lipantitlan, July 7, 1842, ii., 361; of the Salado, September 17, 1842, ii., 364; of Mier, December 25 and 26, 1842, ii., 352; of the Hacienda Salado, February 11, 1843, ii., 374; by Snively on the Plains, June 20, 1843, ii., 402; Bird's Fight, ii., 262.

Beales and Grant, Colony of, i., 317.

Bean, Ellis P., Expedition to Texas, 1800, i., 111; imprisoned at Chihuahua, i., 156; at Acapulco, i., 158; Attempt to escape, i., 160; in Command in the Patriot Army, i., 161; Connection with Lafitte, i., 191; History after leaving Mexico, i., 236; takes part against the Fredonians, i., 250; Indian Agent in Texas, i., 272; a Colonel in Mexico, i., 327; Influence over the Indians, i., 358; Memoir of, written by Himself, i., 404; arrested, ii., 130.

Beaujeau, Captain, accompanies La Salle, i., 16; they quarrel, i., 17.

Bee, Barnard E., accompanies Santa Anna to Washington City, ii., 204; sent to Mexico, ii., 256.

Belisle, Wanderings of, i., 70.

Bexar, selected by Governor Viesca as the Seat of Government, i., 335; Texans march upon, i., 368; Old Record of, i., 382; Works at ordered to be demolished, January 17, 1836, ii., 58.

Bird, Captain John, Fight with the Indians, ii., 262.

Blanco, Governor Victor, annuls Edwards's Grant, i., 243; opposes the Texan Memorial of 1833, i., 325.

Bolivar Point, occupied by General Long, i., 202.

Boneo, Don Justo, Governor of Texas, i., 83.

Bonham, J. B., enters the Alamo during the Siege, ii., 79.

Boundary between Spain and Great Britain by the Treaty of 1763, i., 93; Western of Texas, i., 77; ii., 156, 343; Eastern of Texas, i., 80, 102; in 1837, ii., 217, 307, 332.

Bowie, Colonel James, Sketch of, i., 270; Battle near San Saba, i., 282; at the Battle of Nacogdoches, i., 298; commands at Concepcion, i., 373; in advance at the "Grass-Fight," ii., 18; ordered west, ii., 46; ordered to Bexar, January 17, 1836; killed in the Alamo, ii., 81.
Bradburn, Colonel, Quarrels of at Anahuac, i., 290, 272.
Bradley, Captain John M., of the "Moderators," ii., 440.
Brasos, Indian Name of, i., 27.
Breeze, Captain of the New Orleans Grays, ii., 33.
Brenham, R. F., Commissioner to Santa Fé, ii., 322.
Brown, Captain Henry S., Campaign against the Indians, i., 260.
Buccaneers, i., 34.
Bullock, Colonel James W., commands at Nacogdoches, i., 298.
Burleson, Colonel Edward, elected to the Command at San Antonio, ii., 18; Efforts to aid Travis, ii., 104; sent to watch the Retreat of Filisola, ii., 164; Fight with Cordova, ii., 261; defeats the Indians above Bastrop, ii., 262; march against the Cherokees, ii., 267; Affair with the Cherokees on the Colorado, ii., 283; elected Vice-President, ii., 331; in command at San Antonio, ii., 358.
Burnet, David G., Empresario, i., 252; in Convention of 1833, i., 311; draws up the Memorial, i., 312; writes the Liberty Address, i., 371; Memorial to Mexico, i., 469; elected President *ad interim*, ii., 71; Appeal to the People, ii., 111; Narrow Escape of, ii., 136; Order to Houston to retreat to Galveston, ii., 153; requested to repair to the Camp at San Jacinto, ii., 153; Negotiations with Santa Anna, ii., 154; Affair with the Army, ii., 171; elected Vice-President, ii., 245.
Burnham, Captain, Fight with the Caraukawaes, i., 226.
Burr, Aaron, his Expedition, i., 144.
Burton, Major Isaac W., Success in capturing Vessels, ii., 180.
Bustamente, General, declares against Guerrero, i., 270; prohibits Colonists from the United States, i., 270; forced by Santa Anna to resign, i., 293; they make peace, i., 303; return from Exile in France, and elected President of Mexico, 1837, ii., 204.
Cadena, Royalist General in Mexico, i., 150.
Calhoun, John C., concludes Treaty of Annexation, ii., 428.
Calleja, Royalist General in Mexico, i., 150.
Camanches, i., 78; Insolence of, in 1785, i., 107; Massacre of, ii., 298; Descent of, on Victoria and Linnville, ii., 300; defeated at Plum Creek, ii., 302; on Red Fork of the Colorado, ii., 305.
Cameron, Captain, leads in the Battle of the Hacienda Salado, ii., 375; shot—Cause of it, ii., 377.
Campaign, Federal, of 1839, ii., 274; of 1840, ii., 290.
Campeachy, Lafitte's Town of, on Galveston Island, i., 197.
Canales, General L. Antonio, commands in the Federal War, ii., 274, 288; Treachery of, ii., 297.
Candelle, Col. Nicholas, at Goliad, i., 355.
Capital of Texas, Selection of, ii., 273.
Caraukawaes, Battle with, i., 197; further Battles with, i., 221; peace with, i., 226.
Carson, Samuel P., Letter from, ii., 118.
Casa de Contractacion, i., 96.
Casa Fuerte, Viceroy of Mexico, i., 80.
Castenado, Captain, defeated at Gonzales, i., 361.
Cession of Louisiana to Spain in 1762, i., 92; receded in 1800, i., 116; ceded to the United States in 1803, i., 119.
Cevallos, Governor of Texas, i., 80.
Chambers, Thomas J., Sketch of, i., 274; appointed Judge, i., 321; Address to the People of Texas, i., 324; Power to raise an Army of Reserve, ii., 67.
Charles IV. of Spain, i., 146.
Charles V., Decree of, i., 63.
Cherokees, in Mexico, i., 215; Declaration in Favor of, ii., 62; their Threatening Attitude, ii., 127; War with, ii., 263; Defeat of, ii., 269.
Chihuahua, Settlement of, i., 26.
Christy, Colonel William, Efforts for Texas, ii., 22; aids in procuring a Loan, ii., 62.
Claiborne, Governor, calls out the Militia, i., 132; Proclamation of, against the Barratarians, i., 188.
Clay, Henry, against Annexation, ii., 429; Defeat of, ii., 429.
Clergy of New Spain, i., 62; Influence in Mexico, i., 318.
Coahuila, first settled, i., 26; Population of, in 1806, i., 141; Limits of, in 1744, i., 77.

Coahuila and Texas, State of, i., 231; its Poverty, i., 258; Civil War in, i., 316; Legislature of, its Corruption and End, i., 325.

Cooke, William G., Commissioner to Santa Fé, ii., 322.

Coleta, Battle of the, ii., 92.

Coldwell, Colonel Matthew, commands at the Salado, ii., 364.

Colonists, recommended by De Aguayo, i., 174; from Canary Islands, i., 77; Tlascala, i., 79; first Anglo-Saxon, i., 212; their Privations, i., 229; Laws favoring the, i., 262; forbidden from the United States, i., 270.

Colonization Law, General, i., 216; of Coahuila and Texas, i., 233.

Colony, brought to Texas by La Salle, i., 19; Fate of it, i., 42; Contract, first, i., 210; of Beales and Grant, i., 317; Contracts, Texan, ii., 436.

Collingsworth, Capt., takes Goliad, i., 367.

Collingsworth, James, Commissioner to the United States, ii., 176; Death of, ii., 250.

Colorado River, Indian Name of, i., 27.

Columbia, Meeting of August 15, 1835, i., 354.

Commerce of Texas in 1806, i., 140; in 1834, i., 327.

Commercial Policy, exclusive, of Spain, i., 95.

Commissioners to Cos, i., 341.

Committee of Safety, first in Texas, i., 337.

Common Law, Provision for its Introduction, ii., 74, 287.

Company of the Indies, i., 66.

Concepcion, Mission of, founded, i., 79; Battle of, i., 373.

Congress, Mexican Constituent, i., 219; first Texan, ii., 199; Reform Congress, ii., 340; Extra Session of June, 1842, ii., 354; passes a Secret Act to sell the Navy, ii., 381; Attempt to obtain the Correspondence of Government, ii., 424; Mexican, dismissed by Santa Anna, i., 318.

Constitution of 1824, i., 200; its Character, i., 230; of Coahuila and Texas, i., 252; of 1824, reinstated by Santa Anna in 1832, i., 393; of the Republic of Texas, ii., 73.

Consultation, General, Origin of, i., 354; met October 16, 1835, and adjourned, i., 370; reassembled at San Felipe, November 1, 1835, ii., 11; adjourned, to meet at Washington, March 1, 1836, ii., 13.

Convention of 1832, at San Felipe, i., 302; of 1833, i., 311; at Washington, on the Brasos, 1836, ii., 71; Delegates to, ii., Appendix No. III., p. 512.

Convents of Queretaro and Zacatecas, i., 54.

Cordero, Governor Antonio, i., 127, 129.

Correo Mexicana, Capture of the, i., 356.

Correspondence of the Commander-in-Chief of the Texan Army, in 1835–'36, ii., Appendix No. I., p. 445.

Cos, General Martin P., takes part in the Civil War at Monclova, i., 331; disperses the Legislature, i., 334; Letter of to Political Chief of Brasos, i., 343; advance into Texas, i., 361; defeated at San Antonio, ii., 30; reinforces Santa Anna, ii., 140; captured at San Jacinto, ii., 142; Commissioners to, i., 341.

Council of the Indies, i., 61; jealous of the French, i., 74.

Council, Permanent, first in Texas, i., 367; of the Provisional Government, ii., 14; Usurpation of, ii., 50; Quarrel with Governor Smith, ii., 43, 53; they depose him, ii., 54, 67; of War at San Antonio, ii., 16; of War held by Fannin, ii., 78; of War held by Santa Anna, ii., 79; of War held by Houston on the 21st of April, ii., 140.

Counties, Creation of, ii., 74.

Creek Indians attempt to settle in Texas, i., 328.

Crockett, David, arrives at Nacogdoches, ii., 70; killed in the Alamo, ii., 81.

Crozat, Grant to, by Louis XIV., i., 47; Surrender of it, i., 66.

Cuernavaca, Plan of, i., 318.

Customhouses in Texas, i., 272.

D'Alarconne, Governor of Texas, i., 68.

Dangerfield, W. H., Commissioner to the United States, ii., 352.

Davenport, Samuel, Spanish Indian Agent, i., 153.

Davis, Adjutant-General James, in command on the Nueces, ii., 355; at the Battle of Lipantitlan ii., 361.

Dawson, Captain and Company, killed at the Salado, ii., 365.

Dawson, Frederick, Contract with for Navy, ii., 243.

De Ayllon, Voyage of, i., 31.

Debt, Public, ii., 197, 218, 249, 281, 333.

Declaration of Adherence to the Constitution of 1824, ii., 12; of Independence, at Goliad, ii., 47; by the Convention of March, 1836, ii., 71.

De Leon, Captain Alonzo, Expedition to Texas, i., 44.
De Leon, Martin, Empresario, i., 234.
De Leon, Voyage of, i., 31.
Delgado, Colonel, executed at San Antonio, i., 151; Vengeance taken by his Son, i., 168.
De Narvaez, Voyage of, i., 31.
De Nava, Don Pedro, secularizes the Missions, i., 108.
De Onis, Bad Faith in the Discussion with J. Q. Adams, i., 86.
Descent upon San Antonio, ii., 24.
De Soto, Voyage of, i., 31.
Despotism organized by Santa Anna, i., 350.
De Tonti, in Search of La Salle, i., 43.
De Ulloa, Governor of Louisiana, Instructions to, i., 95.
De Witt, Green, Empresario, i., 234.
Dickinson, Mrs., saved in the Alamo, ii., 81.
Dimit, Captain Philip, in command at Goliad, ii., 12; ordered to raise Men for Bexar, ii., 59; his Capture and Death, ii., 319.
Diplomacy, Mysterious, in Texas, ii., 409.
Disaffected Persons on the Coast, ii., 182.
Disarming the Inhabitants, Decree for, i., 330.
Documents in Relation to the Appointment of Commander-in-Chief, ii., Appendix No. II., p. 507.
Douglas, Brigadier-General, commands in the Cherokee War, ii., 268.
Duhaut, Mutinous, i., 36; kills La Salle, i., 40; is killed by Heins, i., 41.

Eastern Texas, Condition of, in April, 1836, ii., 106.
Eaton, Lieutenant William, Assistant-Quartermaster-General, ii., 48.
Education in Texas, i., 267.
Edwards, Benjamin W., commands in the Fredonian War, i., 244.
Edwards, Hayden, arrives in Mexico, i., 215; Empresario, i., 234; Dispute with the Political Chief, i., 237; Contract with Mexico, i., 462; Difficulties in his Colony, i., 236; Grant to annulled, i., 243.
Edwards, Monroe, imprisoned at Anahuac, i., 291; in the Slave-Trade, ii., 309.
Elguezabal, Juan José, *quasi* Governor, i., 323.
Elisondo, Don Y., betrays Hidalgo, i., 150; defeated at the Alazan, i., 171.
Elliot, Captain Charles, on the Armistice, ii., 412; Explanations to, ii., 427.
Ellis, Richard, President of the Convention of 1836, ii., 71.
Empresarios, Provisions for, i., 217.
Enemy, Attempt to draw him out, ii., 112; Position of the, on the 15th of April, 1836, ii., 112.
English, Captain George, commands a Company from Eastern Texas, ii., 24.
Evans, Major, Master of Ordnance, shot in the Alamo, ii., 81.
Exchequer-Bills, Worth of, ii., 348, 379.
Expedition of Lieutenant Pike, i., 125; to Santa Fé, ii., 231; to Mier, ii., 370; of Colonel Snively, ii., 399.

Falcon, Miguel, appointed Governor by Santa Anna, i., 338.
Fannin and Bowie, ordered to examine the Missions, i., 371.
Fannin, J. W., appointed to raise Supplies, ii., 42; ordered to Velasco, ii., 49; appointed "*Agent*" to march on Matamoras, ii., 51; Proclamation of, ii., 60; Attempt to aid Travis, ii., 78; repairs Fort Defiance, at Goliad, ii., 85; his Orders from Lieutenant-Governor Robinson, ii., 86; ordered by Houston to fall back, ii., 84; sets out on his Retreat, ii., 91; surrenders at the Coleta, ii., 96; shot at Goliad, ii., 98; Effect of his Defeat on the Texan Army, ii., 112.
Farias, Gomez, Conduct of, i., 315.
Farnesè, Charles Compté, Propositions of, ii., 224.
Federal War, ii., 274, 290.
Ferdinand VI., Decree of, against the Monks, i., 63.
Filisola, General Vicente, opposes Santa Anna's Views, ii., 103; approves Santa Anna's Public Treaty, ii., 165.
Fisher, Captain William S., arrives with his Company, ii., 114; in the Federal War of 1840, ii., 290; commands the Mier Expedition, ii., 371.
Fisher S. Rhoads, in the Affair of the "William Robbins," ii., 39.
Fletcher, Joshua, first Treasurer of Texas, ii., 34.
Flores, Gaspar, Commissioner to grant Titles, i., 255.
Flores, Manuel, Mexican Agent among the Indians, ii., 258; his Death, ii., 260.
Florida, Spain concludes to cede to the United States, i., 194.
Florida, West, Convention of, at Baton Rouge, i., 177; annexed to the United States, i., 177.

Forbes, Major John, despatched to Velasco for Troops, ii., 110, 114; appointed Indian Commissioner, ii., 50.
Franciscans, Notice of the Order, i., 54.
Franklin, Benjamin C., first Texas Judge, ii., 199.
Franks, Colonel Midland, aids in the Descent on San Antonio, ii., 25.
Franquis, Carlos de, Governor of Texas, i., 82; Tyranny of, i., 83.
Fredonians, i., 247: Treaty with the Indians, i., 247; Battle with Norris, i., 249.
Freeman, Colonel, arrested by the Spaniards, i., 124.
French blockade Mexican Ports, ii., 242.
French of Louisiana, Movement of, i., 47.
Frontenac aids La Salle, i., 15

Gachupin War, Plan of, i., 153; Progress of, i., 163.
Gaines, Captain James, aids the Patriots in 1812, i., 155; at the Battle of Rosalis, i., 166; of the Alazan, i., 172; visits Lafitte, i., 200.
Gaines, General Edmund P., Instructions from the United States, i., 167; Correspondence with Houston, ii., 182; Letter as to the Disposal of Santa Anna, ii., 195.
Galleons, Spanish, i., 96.
Galveston Island, first occupied by Don Luis Aury, in 1816, i., 180; Dépôt for Prizes and Slaves, i., 183; occupied by Lafitte in 1817, i., 190; flourishing, i., 196; Pirates broken up by the United States, i., 203; again unoccupied, i., 208; Register of Proceedings at, in 1817, i., 454; in 1836, ii., 198.
Galveston, Town of, ii., 241; Growing Commerce of, ii., 311.
Galvez, Don José, Governor of Louisiana, i., 101; Death of, i., 110.
Gardoqui, Don Diego, Spanish Minister to the United States, i., 103.
Garita at San Antonio, ii., 16.
Gil y Barbo, Commandant at Nacogdoches, i., 100.
Goliad, Name of La Bahia changed to, i., 234; Capture of, i., 369; Massacre at, March 27, 1836, ii., 98; Declaration of Independence at, ii., 47.
Gonzales, Colonel José Maria, takes part with Texas, ii., 38; in the Federal War, ii., 274.
Gonzales, Don José, Lieutenant of Governor Sandoval, i., 81.
Gonzales, Ensign, at Adaes in 1805, i., 128.
Gonzales, Rafael, first Governor of Coahuila and Texas, i., 234.
Gonzales, Town of, Dispute about the Cannon there, i., 361; Battle of, i., 363; Texan Troops at, March, 1836, ii., 104; Effect there of the News of the Fall of the Alamo, ii., 105.
Goribar, José Maria, appointed Governor by a Faction, i., 322.
Gorostiza, Mexican Minister at Washington, Interview with President Jackson, ii., 169.
Government, Seat of, Retreat to Harrisburg, ii., 113; to Galveston, ii., 152; to Velasco, ii., 155; to Columbia, ii., 197; to Houston, ii., 913; Permanent Selection of, ii., 273.
Governor and Council, Dispute between, ii., 43.
Governors of Texas, List of, ii., Appendix No. IX., p. 559.
Grant, Dr. James, urges the Descent on Matamoras, ii., 21; aids in taking San Antonio, ii., 26; his Motive in carrying on the War, ii., 44; his March to Matamoras, ii., 56; his Capture and Death, ii., 84.
Grass-Fight, ii., 18.
Grays, New Orleans, Sketch of, ii., 22.
Grayson, Peter W., Commissioner to the United States, ii., 176; his Death, ii., 245.
Green, General T. J., resists the Return of Santa Anna, ii., 171.
Gritton, Edward, Commissioner to General Cos, i., 341; returns for further Powers, i., 347; Attempt to make him Collector for Copano, ii., 44.
Guerrero, Republican Chieftain, i., 205; Death of, i., 270.

Hall, Sims, Army Contractor, i., 379.
Hamilton, General James, invited to the Command of the Texan Army, ii., 205; Loan-Agent for Texas, ii., 282; Letter to Monroe Edwards, ii., 311; Efforts to obtain a Loan, ii., 314; in Brussels, ii., 339; Correspondence with Santa Anna, ii., 357.
Handy, R. E., despatched to Bexar, ii., 106.
Hanks, Wyatt, Report of, in Favor of Matamoras Expedition, ii., 50.
Hannah Elizabeth, the, captured by the Bravo, ii., 39.
Harcourt, Colonel Edward, ordered to Velasco, ii., 114.
Hardiman, Bailey, Secretary of the Treasury, ii., 74.

Harrisburg, Retreat of the Government to, ii., 113.

Hawkins, Captain Charles, Sketch of, ii., 87.

Hays, Captain J. C., defeats Garcia near Laredo, ii., 320; in command at San Antonio, ii., 349; at the Battle of the Salado, ii., 364.

Heins kills Duhaut, i., 41.

Henderson, J. P., Commercial Arrangement through, with Great Britain and France, ii., 272; aids in making the Treaty of Annexation, ii., 427.

Herrera, Governor of New Leon, i., 129.

Herrera, Manuel, Commissioner to the United States, i., 178.

Hidalgo, the Curate of Dolores, i., 148; executed, i., 150.

Hockley, G. W., of Houston's Staff, ii., 75; accompanies Santa Anna to Washington City, ii., 203; Commissioner to arrange the Armistice, ii., 414.

Holzinger, Colonel, had charge of Colonel Fannin at Goliad, ii., 97.

Horton, A. C., comes to the Aid of Fannin, ii., 90; at the Coleta, ii., 92.

"Horse-Marines," Success of, ii., 180.

Houston, Fort, Indian Murders at, ii., 213.

Houston, Sam, arrives in Texas, i., 305; Sketch of him, i., 305; in the Convention of 1833, i., 311; appointed Commissioner to prevent the Creeks from settling in Texas, i., 328; Resolutions at San Augustine, i., 350; nominated to command the Troops of Eastern Texas, i., 367; Interview with Austin at the Salado, i., 372; Letter to President Jackson in 1833, i., 465; to the Indian Commissioners in 1833, i., 467; elected Commander-in-Chief by the Consultation, ii., 13; Reply to Mosely Baker at the Meeting of December 19, 1835, ii., 41; Proposed Demonstration on Matamoras or Copano, ii., 46; Headquarters removed to Washington, ii., 49; Order of December 30 to Fannin, ii., 49; appointed to treat with the Cherokees, ii., 50; ordered to proceed to the Frontier, ii., 54; at Goliad, January 16, 1836, ii., 58; directs Colonel Neill to demolish the Works at Bexar, and bring off the Artillery, ii., 58; at Refugio, ii., 61; returned to Washington, and reported to Governor Smith, ii., 62; furloughed till the 1st of March, ii., 63; elected Commander-in-Chief by the Convention, March 4, 1836, ii., 72; Appendix No. II., p. 508; Official Correspondence as Commander-in-Chief, ii., Appendix No., I., p. 445; Delegate to the Convention, ii., 74; sets out for the Army, March 6, ii., 75; orders Fannin to fall back, ii., 84; reaches Gonzales, March 11, ii., 104; Retreat from Gonzales, ii., 104; letter, to from the President of the Convention, ii., 110; Defences on the Colorado, ii., 112; on the Brasos, opposite Groce's, ii., 115; crosses the Brasos, April 12, ii., 120; confers with Secretary Rusk, ii., 131; March from Donoho's to Harrisburg, ii., 132; crosses Buffalo Bayou on the 19th, ii., 136; wounded on the 21st, ii., 144; Interview with Santa Anna, ii., 147; President's Order to retreat to Galveston, ii., 153; *Projet* of a Treaty with Santa Anna, ii., 154; surrenders the Command of the Army to Rusk, May 5, ii., 165; Correspondence with General Gaines, ii., 182; opposes an Attack on Matamoras, ii., 190; View of, as to the Disposal of Santa Anna, ii., 195; installed as President of Texas, ii., 198; releases Santa Anna, ii., 203; elected the Second Time to the Presidency, ii., 331; Policy toward Mexico, ii., 336; Policy toward the Indians, ii., 337; recommends Exchequer-Bills, ii., 339; Efforts in behalf of Prisoners in Mexico, ii., 342; Efforts to invade Mexico, ii., 352; Letter of March 21, 1842, to Santa Anna, ii., 358; Message to Congress, ii., 352; vetoes the War-Bill, ii., 360; Proclamation as to the Texan Navy, ii., 383; dictates Robinson's Letter to Santa Anna, ii., 388; proclaims an Armistice, ii., 409; Correspondence with General Murphy, ii., 415; rejects the Armistice agreed on by Commissioners, ii., 442; Secret Annexation Message, ii., 426; Reply to Jackson on the Rejection of the Treaty, ii., 433; Letter to Santa Anna, ii., Appendix No. VIII., p. 544.

Houston, Town of, ii., 196; Growth of, ii., 311.

Hunt, General Memucan, Commissioner to run Boundary-Line, ii., 307.

Hunter, John Dunn, Sketch of, i., 236; Treaty for the Indians made by, i., 248; Death of, i., 250.

Hurd, Captain, commands the "William Robbins," ii., 39.

Huston, Colonel A., Agent to New Orleans, ii., 36; Quartermaster-General,

ii., 48; ordered to remove Stores from Coxe's Point, ii., 115.
Huston, General Felix, Account of Lamar's Reception as Commander-in-Chief, ii., 183; commands at the Battle of Plum Creek, ii., 302.

Immigrants, first European, to Texas, i., 13; Landing of, i., 19.
Immigration, ii., 436.
"Independence" Schooner taken, ii., 212.
Independence, Texan Declaration of, ii., 71; List of the Signers to, ii., Appendix No. III., p. 512; Prospect of its Acknowledgment, ii., 176; acknowledged by the United States, ii., 207; by France, ii., 273; by Great Britain, Holland, and Belgium, ii., 309.
Indians, first Hostility of, i., 30; in Texas in 1685, i., 27; Names of Tribes, i., 27; Cenis, i., 27; Hospitality of the, i., 36; Wars of, i., 42; Nassonites, i., 36; Servitude of the, i., 61; Difficulty of Christianizing, i., 59; Strength of, in 1730, i., 78; Camanches and Apaches, i., 78; Proposal to treat with them in 1835, i., 350; Expedition against, in 1835, i., 352; Mention of their Rights, i., 358, 377; Declaration of Consultation in Favor of, ii., 62; Messenger from Groce's to the Cooshatties, ii., 132; seduced by the Mexicans, ii., 227.
Inhabitants, Flight of, ii., 106; Panic of, East of the Trinity, ii., 108.
Insubordination, Effect of, ii., 394.
Invasion of Texas by Vasquez, March, 1842, ii., 348; by Woll, September, 1842, ii., 363.
Iturbide, his *Pronunciamento*, i., 206; his Victories, i., 206; Treaty with O'Donojú, i., 207; declares himself Emperor, i., 216; quarrels with Santa Anna, i., 218; abdicates, i., 219.
Iturigaray, Viceroy of Mexico, i., 147.

Jack, Patrick H., Imprisonment at Anahuac, i., 291.
Jackson, President, Letter to Houston in 1829, i., 307; Interview with Gorostiza, ii., 169; View of, as to the Disposal of Santa Anna, ii., 195; Answer to Santa Anna's Letter, ii., 200; Letter on the Rejection of the Texas Treaty of Annexation, ii., 432; rejoices at Annexation, ii., 441; his Death, ii., 442.
Jealousy between the United States and Great Britain, ii., 406, 409.
Jesuits, i., 53.
Johnson, Colonel F. W., marches to the Relief of the Texans at Anahuac, i., 291; commands a Division in the Descent on San Antonio, ii., 26; elected to the Chief Command on the Death of Milam, ii., 31; applies to the Council for Leave to march on Matamoras, ii., 51; his Proclamation, ii., 60.
Johnson, General A. S., appointed to the Command of the Texan Army, ii., 207.
Jones, Captain Randal, his Expedition against the Caraukawaes, i., 224.
Jones, Dr. Anson, elected President of Texas, ii., 437.
Jones, John Rice, first Postmaster-General, ii., 33.
Jordan, Colonel, in the Federal War, ii., 274.
Joutel accompanies La Salle to Texas, i., 15; left in command at Fort St. Louis, i., 21, 33; returns to France, i., 42.
Jury, Trial by, instituted, ii., 321.

Karnes, Captain Henry, Sketch of, i., 373; at the Siege of San Antonio, ii., 28; despatched to Bexar, ii., 106; Affair with the Enemy at Rocky Creek, ii., 111; Pursuit of the Enemy at San Jacinto, ii., 143.
Kemper, Major, commands in the Gachupin War of 1812, i., 165; returns home, i., 168.
Kerr, James, presides at the Navidad Meeting, i., 342.
Kerr, Peter, taken in the "Hannah Elizabeth," ii., 39.
Kimball, H. S., Secretary of the Convention, ii., 71.
King, Captain, sent to Refugio, ii., 86; Attempt of Major Ward to relieve him, ii., 87; King and his Command taken and shot, ii., 90.
Kuykendall, Colonel A., his Campaign against the Indians, i., 260.

La Bahia, Mission of, i., 74.
Labranche, Alcee, *Chargé d'Affaires* from the United States, ii., 208.
Lafitte, Sketch of, i., 186; occupies Galveston, i., 190; his Operations there, i., 195; Battle with the Caraukawaes, i., 197; declines aiding General Long, i., 200; appointed Governor of Galveston Island, i., 202; driven from Galveston, i., 203; his Death, in Yucatan, i., 204.
Laguna, Marquis of, i., 44.

La Harpe, i., 68; Correspondence with D'Alarconne, i., 68; in command at Matagorda Bay, i., 73.

Lallemand, General, settles in Texas, i., 195.

Lamar, Mirabeau B., distinguished in the Affair of the 20th of April, ii., 139; appointed Commander-in-Chief, ii., 183; elected President of the Republic, ii., 245; Message, ii., 252; Indian Policy, ii., 280.

Land-Certificates, Fraudulent, ii., 283.

Lands, Law for Sale of, i., 320; Frauds in, i., 321, 330.

Land-Office, Effort to open, ii., 228; Frauds, ii., 228; closed in 1842, ii., 366.

Land-Titles, Order of Ugartachea, suspending Issuance of, i., 359; Sketch of, ii., 230.

Laredo, Settlement of, ii., 60; Plunder of, ii., 368.

Larrison, Captain, despatched from Gonzales for Ammunition, ii., 105.

La Salle brings first Colony to Texas, i., 13; his Troubles, i., 22; his Neighbors, i., 27; Journey to the Interior of Texas, i., 33; Tragic Death, i., 40.

Law, John, i., 66.

Leftwich, Robert, Empresario, i., 234.

Legislature of Coahuila and Texas, declares for Santa Anna, i., 322; Corruption of, i., 321, 330, 335; Members of, from Saltillo, retire, i., 321; resists Santa Anna, i., 333; Final Sitting, i., 333; its Decrees annulled by Mexican Congress, i., 336.

Legislatures of the Mexican States abolished, i., 366.

Les Veches, River, named by the French, i., 23.

Letona, José Maria, Governor of Coahuila and Texas, i., 270.

Lewis, Captain William P., Treachery of, ii., 328.

Liberty, Settlement of, i., 266; Municipality of, i., 276; *Ayuntiamento* of, opposes the War-Party, i., 339; comes over to the War-Party, i., 370.

Lipantitlan, Battles of, ii., 19, 361.

Loan proposed, ii., 314; its Failure, ii., 316; Gigantic Projects, ii., 317; Effort to make one in Brussels, ii., 339; Loan Laws repealed, ii., 340; Revolutionary obtained by Texas Commissioners, ii., 62.

Long, David, killed on the Trinity, in 1819, i., 201.

Long, General, invades Texas, i., 199; driven out, i., 202; his Death, i., 207.

Louisiana, ceded to Spain in 1762, i., 92; ceded to France, in October, 1800, i., 116; ceded to the United States, April 30, 1803, i., 119; Discussions of 1805 as to its Boundaries, i., 123.

M'Allister, Shooting of, ii., 336.

M'Culloch, Colonel Ben, Sketch of, ii 300.

M'Donald, Lieutenant William, at the Siege of San Antonio, ii., 28.

M'Farland, John, Spanish Indian Agent, i., 153.

M'Kinney, Thomas F., Loan-Agent, i., 379.

M'Leod, Brigadier-General Hugh, commands Santa Fé Expedition, ii., 322.

M'Mullen and M'Gloin, Empresarios, i., 266.

M'Nutt, Major, left with the Sick, ii., 184.

Madero, Commissioner to grant Land-Titles, arrested by Teran, i., 275.

Madison, Captain, observing the Movements of Lafitte, i., 203.

Magee, Augustus W., in command of an Escort, i., 152; elected Colonel of the Patriots, i., 162; his Death, i., 165.

Mail, Mexican, broken open at San Felipe, i., 338.

Major-General, Law creating, ii., 384.

Manchaca takes part in the Gachupin War, i., 173.

Manuel Godoy, Spanish Minister, i., 106 124, 146.

Marin, Bishop of New Leon, visits Texas, i., 129.

Marquette, Exploration of the Mississippi by, i., 14.

Martin, Wylie, Chairman of the Revolutionary Meeting at San Felipe, i., 341; Political Chief *pro tem.*, i., 344; presides at the Meeting of December 16, 1835, ii., 40.

Massacre at Goliad, ii., 98; Burial of their Remains, ii., 177; Documents in Relation to, ii., Appendix No. IV., p. 514; at Fort Parker, May, 1836, ii., 170; of Camanches at San Antonio, ii., 298.

Matagorda Bay, first Settlement in Texas, i., 13; Belisle occupies it for the French, i., 73.

Matamoras, projected Enterprise against, ii., 21, 23; Fever at Goliad, January 16, 1836, ii., 58; its Origin, ii., 60 Proposal to attack, July, 1836, ii., 190.

Medina, Ancient Western Boundary of Texas, i., 77; Battle of, i., 174.

Meeting, Revolutionary, of July 17, 1835, i., 340; on the Navidad, July 19, 1835, i., 342.

Memorial of 1833, to Mexico, i., 469.

Message of President Tyler in 1843, ii., 417; Effect of, ii., 418; Annexation, ii., 426.

Mexia, General, supports Santa Anna in 1832, i., 295; fails in the Descent on Tampico, i., 36; aided by the Council of Texas, ii., 42; Governor Smith's Opinion of him, ii., 43; his Death, ii., 256.

Mexicans advance on the Colorado, ii., 109; concentrate west of the Brasos, ii., 162; their Sufferings, ii., 162; Retreat of, ii., 163.

Mexico, Independence of, i., 207; Guadalupe Victoria first President of, i., 255; Pedraza, second, i., 265; Vincent Guerrero installed, i., 265; Discussions with the United States as to the Boundary, i., 276; Plan of Vera Cruz adopted by, i., 293; Santa Anna elected President, i., 310; what she required of Texas i., 350; Despotism established in by Santa Anna, i., 351; State Legislatures abolished, i., 366; Population and Resources of, in January, 1836, ii., 63; Generals of, with Santa Anna in Texas, ii., 66; Complaints of, to the United States, ii., 158; Instructions of the Government of, to Filisola, ii., 166; Differences with the United States, ii., 200; Efforts to excite the Indians, ii., 227, 257; Differences with France, ii., 242; Reference of Differences with the United States, ii., 242; Civil War in, 1840, ii., 287; Earnest Preparation for invading Texas, 1841, ii., 318; Suspension of Diplomatic Relations with Great Britain, ii., 416; Beginning of the Revolution in, i., 147.

Mier, Expedition, Origin of, ii., 370; Battle of, ii., 372; Texans surrender, ii., 374; escape at the Hacienda Salado, ii., 374; retaken, ii., 376; decimated, ii., 376; Effect of, in other Countries, ii., 395; their Treatment, ii., 398; released, ii., 437.

Milam, Benjamin R., leads the Assault on San Antonio, ii., 25; killed during the Battle, ii., 28.

Millard, Henry, Chairman of Committee on the Provisional Government, ii., 12.

Miller, Dr. James H. C., Letter from, i., 344.

Miller, Major, captured with his Command at Copano, ii., 97.

Miles, Lieutenant, killed in an Indian Battle, ii., 228.

Mina, Xavier, Sketch of, i., 182; arrives at Galveston, i., 183; sails for Mexico, i., 185; captured and shot, i., 186.

Miranda, History and Expedition of, i., 143.

Missionaries, first to Texas, i., 16, 53; Duties of, i., 58; Correspondence of, i., 88; Protestant, ii., 220.

Missions, Year of, i., 50; Catholic, i., 60; of Concepcion, San Juan, and La Espada, ii., 231; San José, ii., 234.

Mississippi River, Discovery of the Mouth of, i., 13; Free Navigation of, i., 103.

Mobile, Dispute about, i., 123.

Moderators, War with the Regulators, ii., 440.

Monasterio, José Maria Ortis, Letter to Santa Anna, ii., 82.

Monclova, in 1744, i., 87; Seat of Government of Coahuila and Texas, i., 262; appoints a Governor, i., 323.

Moore, Colonel John H., commands Expedition against Indians in 1835, i., 352; in command at Gonzales, i., 363; defeats the Camanches, ii., 261; also on Red Fork of the Colorado, ii., 304.

Moore, Commodore, Orders to, ii., 380.

Moorman, Captain Wat, of the Regulators, ii., 440.

Morelos the Priest, his Victories, i., 156; Further Efforts for Independence, i., 178.

Morfit, Henry M., sent by the United States to examine the Condition of Texas, ii., 191.

Morgan, Colonel James, ordered to the Defence of Galveston, ii., 115; Commissioner to sell the Navy, ii., 383.

Morehouse, Captain, removing Families east of the Brasos, ii., 119.

Morris, Captain Robert, of the New Orleans Grays, ii., 23; in the Descent on San Antonio, ii., 25.

Muldoon, Father, i., 268.

Municipalities, Law creating, i., 304.

Murphy, General W. S., *Chargé* from the United States to Texas, ii., 415; announces the Rejection of the Treaty of Annexation, ii., 432.

Mustang Horses, Catching of, i., 112.

Nacogdoches, Rise of, i., 99; in 1806, i., 137; taken in 1812, i., 155; by General Long in 1819, i., 199; Return of

the Citizens in 1821, i., 221; Trouble at, in 1826, i., 288; Battle at, in 1832, i., 298; Proceedings and Alarm there in April, 1836, ii., 128; Revolt of Mexicans at, ii., 245.
Natchez, Spanish Settlement at, i., 106; Surrender of to Americans, i., 116.
Natchitoches, Post established at by the French, i., 48.
Naturalization, Spanish, i., 211.
Navarro, J. A., Commissioner to Santa Fé, ii., 322.
Navidad, Meeting of July 19, 1835, at, i., 342.
Navy, Mexican, in November, 1835, ii., 38.
Navy, Texan, in April, 1836, ii., 124; captures the Montezuma and Pocket, ii., 124; Condition of in August, 1836, ii., 192; Losses, ii., 212; takes the Alispa, Telegraph, and Eliza Russell, ii., 213; Battle off Galveston Harbor, ii., 216; Contract with Dawson for, ii., 243; Delivery of Vessels, ii., 271; placed in Ordinary, ii., 308; Secret Message concerning, ii., 380; Commissioners to sell, ii., 381; Proclamation in regard to, ii., 383.
Neill, Colonel J. C., Efforts to aid Travis, ii., 104; ordered to demolish Works at Bexar, and bring off the Artillery, ii., 58; aids in the Descent on San Antonio, ii., 26; ordered to the Command at Bexar, ii., 49.
Neutral Ground, Origin of the, i., 133; Character of its Occupants in 1812, i., 151.
New Mexico, first Settled, i., 26; Trade with, i., 264.
New Orleans, Port of, i., 118.
New Philippines, i., 50.
New Spain, Clergy of, i., 62.
Newspapers in Texas, ii., 196, 308.
Nolan, Philip, Expedition to Texas, i., 111; his Death, i., 114.
Norris, Alcalde at Nacogdoches, i., 243.

O'Donojú, General, Spanish Commissioner, arrives at Vera Cruz, i., 206; Treaty with Iturbide, i., 207.
Orquizaco, Mission of, i., 49; discontinued, i., 94.

Padilla, Juan Antonio, Commissioner-General to Texas, i., 274.
Parker, Fort, Massacre at, May 19, 1836, ii., 170.
Parmer, Colonel Martin, Commander of Fredonians, Sketch of, i., 247.
Parties in Texas, January, 1836, ii., 55.
Paso del Norte, first settled, i., 26; Condition of, in 1806, i., 141.
Patriots take Nacogdoches in 1812, i., 155; their Progress, i., 162; take La Bahia, November 14, 1812, i., 163.
Patton, William H., accompanies Santa Anna to Washington City, ii., 204.
Peacock, Captain, in command of Mississippi Volunteers, ii., 24.
Pease, Elisha M., Secretary to the Council, ii., 34.
Pedraza, second President of Mexico, i., 265.
Peonage, i., 262.
Peraza, Colonel Martin F., Envoy from Yucatan to Texas, ii., 318.
Perez, Colonel, expels General Long from Texas, i., 202.
Perier, Governor of Louisiana, i., 76.
Perry, Colonel, at the Battle of the Alazan, i., 171; of Medina, i., 175; rallies a Force at Galveston, i., 180; at the Capture of Soto la Marina, i., 185; killed at La Bahia, i., 186.
Piedras, Colonel, Commandant at Nacogdoches, i., 272; marches to the Relief of Bradburn, i., 291; defeated and captured, i., 297; Death of, ii., 255.
Pike, Lieutenant Zebulon M., Expedition of, i., 125, 134.
Pilar, Nuestra, Señora del, Mission of, i., 67.
Plaza of the Constitucion in San Antonio, ii., 15; Military Plaza, i., 107.
Poinsett, Joel R., Minister to Mexico, i., 256; organizes Masonry in Mexico, i., 256.
Polk, James K., in Favor of Annexation, ii., 431; nominated for President of the United States, ii., 430; elected, ii., 440.
Population of Texas, in 1744, i., 87; in 1765, i., 97; in 1806, i., 137; in 1831, i., 274; in 1834, i., 327; in September, 1836, ii., 192.
Porter, Major, at Natchitoches, in 1805, i., 127; corresponds with Governor Cordero, i., 131.
Portilla, Colonel, executes the Prisoners at Goliad, ii., 98.
Potter, Robert, Secretary of the Texan Navy, ii., 74.
Powers, James, Empresario, i., 266.
Prairie, Great Western, ii., 60.
"Prince of Peace," Main-spring of Spanish Politics, i., 106.
Printing-Press, established by Baker and Borden, i., 378.

Prisoners in Mexico released, ii., 437.
Proscribed in Texas, List of, i., 360.
Protestant Christians, Rise and Progress in Texas, ii., Appendix No. VII., p. 582.
Provisional Government established, ii., 13.

Raguet, Colonel Henry, Letter to, from Houston, ii., 134.
Ramon, Don, i., 48; visits Natchitoches, i., 50.
Red-Lands, organized, i., 350.
Red River, Early Settlements on, i., 125.
Refugio, Mission of, i., 109.
Regulators, War with the Moderators, ii., 438.
Religion, Roman Catholic, i., 218; in Texas, ii., 219; Meeting of Ministers of the Gospel, ii., 223; Propositions of Count Farnese, ii., 224; Protestant, its Rise and Progress, ii., Appendix No. VII., p., 582.
"Republic of the Rio Grande" organized, ii., 288.
Retreat of the Army from Gonzales, ii., 107; of the Government to Harrisburg, ii., 113; of the Army from Gonzales, ii., 114; of the Enemy from the Brazos, ii., 163.
Revolutionary Meeting in Texas, first, i., 329.
Rice, Lieutenant James O., attacks and kills Flores, ii., 259.
Rio Bravo, } Origin of these Names,
Rio del Norte, } i., 46; Prairie situ-
Rio Grande, } ated on, ii., 60.
Robberies on the "Neutral Ground," i., 151.
"Robbins, William," the, commanded by Captain Hurd, ii., 39.
Robinson, Lawyer, Letter to Santa Anna, ii., 385; second Letter, ii., 388.
Robinson, Lieutenant-Governor James W., ii., 13.
Roman, Captain Richard, arrives with his Company, ii., 114.
Rosalia, Battle of, i., 166.
Ross, Colonel Reuben, in the Federal War, ii., 274.
Ross, Major, leaves the Patriot Army, i., 168.
Royall, R. R., Chairman of first Permanent Council, i., 367.
Rueg, Henry, Political Chief of Nacogdoches, i., 343; his Circular, i., 350.
Rusk, Thomas J., at the Siege of San Antonio, ii., 17; appointed to raise Supplies, ii., 42; called to Headquarters, ii., 55; elected Secretary of War, ii., 74; Energy in forwarding Arms and Supplies, ii., 111; joins the Army, ii., 117; confers with Houston, ii., 131; Address of April 19, 1836, ii., 135; invites President Burnet to San Jacinto, ii., 153; appointed to the Temporary Command of the Army, ii., 156; buries the Remains of the Slain at Goliad, ii., 177; in Houston's Cabinet, ii., 205; active in defeating a Revolt at Nacogdoches, ii., 245; Battles of, with the Indians, ii., 247; disarms the Caddoes, ii., 260; takes part in the Cherokee War, ii., 268; appointed Major-General, ii., 385.
Rutel, lost in 1682, i., 38.

St. Denis, Huchean, Expedition of, to Mexico, i., 48; second Expedition, i., 65; invades Texas i., 67; in Confidence with the Indians, i., 75; defeats the Natchez, i., 79.
Salado, Hacienda, Battle of, ii., 374.
Salcedo, Governor of Texas, Defence against the Patriots, i., 155; defeated by the Patriots, i., 163; Capture and Death of, i., 168.
Salezar, Barbarity of, ii., 331.
Saligny, M. De, French *Chargé*, offended, ii., 316.
Salitre Prairie, Battle of, June, 1812, i., 154.
Saltillo, Seat of Government of Coahuila and Texas, i., 231; pronounces, and appoints Goribar Governor, i., 322; Battle of, ii., 293.
San Antonio, Fort and Mission of, i., 49; in 1806, i., 137; taken by the Patriots, i., 163; Return of Exiles to, i., 221; Description of, ii., 15; Assault on, by Milam, ii., 26; Surrender of, ii., 30.
San Augustine nominates Houston to command the Eastern Troops, i., 367.
Sandoval, Lieutenant-Colonel, captured at Goliad, i., 369; proposes to join the Texans, ii., 38.
Sandoval, Manuel de, Governor of Texas, i., 80; Quarrel with St. Denis, i., 80; End of his Lawsuit, i., 84, 85.
San Felipe de Austin laid out in 1823, i., 227; Convention at, in 1832 and 1833, i., 302; Revolutionary Meeting at, July 17, 1835, i., 340.
"San Felipe," the, captures the Correo Mexicana, i., 356.
San Fernando de Bexar founded, i., 79.
San Francisco, Mission of, first in Texas, i., 45.
San Jacinto, Battle of, ii., 142.

San Juan Bautista, Mission of, i., 46.
San Patricio, Colony of, ii., 61.
San Saba, Mission of, i., 87; Destruction of, i., 88; Battle near, in 1831, i., 282.
Santa Anna, his first Appearance, i., 218; pronounces in Favor of Guerrero, i., 265; overthrows Bustamente, i., 293; makes Peace with him, i., 303; elected President in 1833, i., 312; dismisses the Mexican Congress, i., 318; Decision on the Texan Memorial, i., 325; Decision between Saltillo and Monclova, i., 326; decrees the Disarming of the Inhabitants i., 330; temporizes with Texas, i., 332; defeats the Zacatecans, i., 334; Plan of subjugating Texas, i., 351; abolishes the State Legislatures, i., 366; reaches the Rio Grande with Six Thousand Men, February 12, 1836, ii., 64; Plan for disposing of Texas, ii., 64; reaches the Alazan on the 23d of February, ii., 66; enters San Antonio, ii., 75; besieges the Alamo, ii., 76; storms it, ii., 80; his Views after taking it, ii., 82; orders Prisoners at Goliad to be shot, ii., 98; Orders to his Generals after the Battle of Coleta, ii., 102; changes his Orders, ii., 103; marches in advance of his Army, ii., 117; crosses the Brasos on the 12th of April, ii., 121; reinforced by Cos, ii., 140; Excuse for his Defeat on the 21st, ii., 142; captured on the 22d, ii., 146; Interview with Houston, ii., 147; Order to Filisola to retreat, ii., 149; negotiates with the Texan Government, ii., 154; Treaty with Texas, ii., 155; Attempt of President Burnet to send him home, ii., 171; Farewell to the Texan Army, ii., 172; his Value as a Prisoner, ii., 177; Letters of, to Austin and Jackson, ii., 181: removed to Orazimba, ii., 192; Attempt to release him, ii., 192; Attempt to take him to the Army, ii., 194; released and sent to Washington City, ii., 203; lost his Leg at Vera Cruz, ii., 255; Correspondence with General Hamilton, ii., 357; Interview with Lawyer Robinson, ii., 387; releases him and sends him to Texas, ii., 387; proposes an Armistice, ii., 408; Letter to Houston, ii., Appendix No. VI., p. 530.
Santa Fé, first settled, i., 26; Road to, proposed, ii., 312; Expedition to, ii., 231; Treatment of Prisoners there, ii., 324.
Saucedo, José Antonio, first Political Chief of Texas, i., 232; Steps against the Fredonians, i., 249.
Schools in Texas, i., 267.
Seguin, Colonel John N., Treachery of, ii., 365.
Seguin, Don Erasmo, a Friend of Austin, i., 212.
Sesma, General, joins Cos at Laredo, ii., 46.
Settlements in Texas, first, i., 51; first American, i., 136; at Gonzales, i., 251.
Shackleford, Captain John, at the Battle of the Coleta, ii., 92; saved from the Massacre at Goliad, ii., 98.
Sherman, Colonel, Charge of, April 20, ii., 138; Affair on the Evening of the 20th, ii., 139.
Siege of San Antonio, ii., 25.
Signers of the Texan Declaration of Independence, ii., Appendix No. III., p. 512.
Slaves, Abduction of, by the Spaniards, i., 124; captured from the Spaniards, and brought into Galveston, i., 183; in Texas, i., 264; abolished in Mexico, i., 269; Importation of, forbidden by the Convention of 1833, i., 312.
Smith, Captain John W., takes a Reinforcement to Travis, ii., 78.
Smith, Colonel Benjamin F., i., 368; sent with Santa Anna's Treaty to Filisola, ii., 165.
Smith, Deaf, Sketch of, i., 258; reports Ugartachea, ii., 18; wounded at the Siege of San Antonio, ii., 27; despatched to Bexar, ii., 106; sent out to reconnoitre at Harrisburg, and takes the Mexican Mail; sent to cut down Vince's Bridge, ii., 141; Conduct in the Battle, ii., 144; sent with Santa Anna's Order to Filisola, ii., 150; Skirmish near Laredo, ii., 210.
Smith, Governor Henry, ii., 13; Message to the Council, ii., 33; Quarrel with the Council, ii., 53; deposed by it, ii., 54; gives Houston a Furlough, ii., 68.
Smuggling, i., 50, 76.
Snively's Expedition, ii., 399; disarmed by Captain Cooke, ii., 403.
Somervell, General, commands Texans at San Antonio in 1842, ii., 351; Volunteers refuse to obey him, ii., 353; ordered on a second Campaign, ii., 367; March to the Rio Grande, ii., 368; Order to the Troops to return, ii., 370.

Spain, Rise and Decline of, i., 31; Dispute with France, i., 32; Grant to by the Popes, i., 63; joins Great Britain against France, i., 105; hostile to the United States in 1805, i., 127; with the Bonapartes, i., 147; overshadowed by Napoleon, i., 177; passes again into the Hands of the Bourbons, i., 178; Negotiations with, as to Boundary, i., 197; Revolution in, i., 205; Attempt of Texas to open Relations with, ii., 333.
Spaniards march upon the Sabine, i., 132; Expulsion of, from Mexico, i., 258.
Spanish Bluff, or Trinidad, i., 128.
Spanish Regulations, i., 61; Expedition to Missouri, i., 71.
State of Coahuila and Texas, i., 231.
Sterne, Adolphus, aids in raising the New Orleans Grays, ii., 23.
Stewart, Charles B., Secretary of Meeting at San Felipe, i., 341; Secretary to Governor Smith, ii., 34.
Sylvester, James A., captures Santa Anna, ii., 146.

Tampico, Failure in the Descent on, ii., 36.
Teal, Captain Henry, Commissioner to Filisola with Santa Anna's Treaty, ii., 165.
Telegraph, Newspaper, ii., 196, 378.
Tenorio, Captain, driven from Anahuac, i., 337.
Teran, Don Domingo, Governor, i., 45.
Teran, General, Commandant of the Eastern States, i., 272; arrests Madero, the Land-Commissioner, i., 275; kills himself, i., 300.
Texas, first Population, i., 25; first Immigrants, i., 13; Name of, i., 50; Original Ownership of, i., 29; Spanish Order for the Reduction of, i., 45; Indian Town of, i., 52, 74; Eastern Boundary of, i., 80; Commerce of, in 1763, i., 95; Trade with Natchez, i., 106; flourishes in 1806, i., 136; Population in 1806, i., 138; Condition of, in 1816, i., 183; surrendered to Spain in 1819, i., 198; Department of, i., 232; United States tries to purchase, i., 266; first opposition to Mexican Troops, i., 281; Department of, divided, i., 282; takes sides with Santa Anna in 1832, i., 293; complains of her Union with Coahuila, i., 301; first Revolutionary Meeting in, i., 329; Santa Anna's Plan for subjugating, i., 351; resists the Collection of Taxes, i., 337; Memorial of, in 1833, i., 369; Lethargy in, ii., 66; Improvements in, ii., 193; Treaty with Yucatan, ii., 318; applies to the three Powers to mediate, ii., 392; List of the Governors of, ii., Appendix No. IX., p. 559.
Thomas, David, Letter of, ii., 125; Attorney-General, ii., 74.
Thompson, Captain, captured and sent to New Orleans, i., 356.
Thompson, General Waddy, despatched as Special Minister to Mexico by President Tyler, ii., 343.
"Three Trees," Battle of, i., 197; second Battle of, i., 222.
Tlascalan Colonists, i., 79.
Toledo, Don José Alvarez, Sketch of, i., 173; defeated at the Medina, i., 174; further Efforts to raise Troops, i., 178; deserts the Republicans, i., 182.
Toluca, Plan of, i., 352.
Tornel, Order to Cos, i., 347.
Travis William B., imprisoned at Anahuac, i., 291; Letter to James Bowie, i., 343; captures a *Caballada* at San Antonio, ii., 18; ordered to San Felipe, ii., 49; sent by Governor Smith to Bexar—there killed, ii., 80; Letter of, from the Alamo, ii., 76; Letter to Fannin, ii., 78; Letter to the President of the Convention, ii., 79.
Treasury-Notes, ii., 217, 244, 286, 334.
Treat, Mr., Private Agent of Texas in Mexico, ii., 306.
Treaty of Utrecht, in 1713, i., 90; of Vienna, in 1731, i., 91; of Aix-la-Chapelle, in 1748, i., 92; of Paris, in 1763, i., 92; of Paris, in 1783, i., 102; secret, transferring Louisiana to France, i., 116; of Amiens, in 1802, i., 117; of Purchase of Louisiana, i., 118; of Cordova, in 1821, i., 207; with the Caraukawaes, i., 226; of Boundary between the United States and Mexico, in 1828, i., 266; Commercial with the United States, rejected, ii., 394; of Velasco, May 14, 1836, with Santa Anna, ii., Appendix No. V., p. 526; of Annexation, April 12, 1844, rejected, ii., 428, 431.
Trinidad, a Military Station in 1812, i., 155.
Troops, Spanish, in Texas, i., 75; among the Missionaries, i., 75; Mexican Regular, destined for Texas, i., 254, 272; ordered to Texas, i., 338; opposed, i., 342.

Turner, Captain Amasa, arrives with his Company, ii., 114.
"Twin-Sisters," the, ii., 128.
Tyler, President, his Position, ii., 345; his strong Texas Message, ii., 417; Care for Texas, ii., 434; approves of Joint Resolution of Annexation, ii., 440.

Ugartachea, Colonel Dominic, commands at Velasco, i., 272; defeated there, i., 338; replies to the Meeting of July 17, 1835, i., 341; orders the arrest of the Texan Leaders, i., 345; writes to Austin after the Battle of Gonzales, i., 365; despatched by Cos to Matamoras for Aid, ii., 16; reinforces Cos, ii., 31.
United States, Controversy with Spain as to Boundary, i., 102; claims the Navigation of the Mississippi, i., 103; Negotiations with Spain as to Boundary, i., 197; Designs of, feared by Mexico, i., 276; Texan Convention appeals to the People of, for Aid, ii., 73; Sympathy there for Texas, ii., 158; Instructions to General Gaines, ii., 167; Differences with Mexico, ii., 200; Troops of, at Nacogdoches, ii., 201; Efforts in Behalf of Santa Fé Prisoners, ii., 342; jealous of Great Britain, ii., 406; deep Interest in Texas, ii., 415.
Upshur, Abel P., negotiating Treaty of Annexation, ii., 425.
Urrea, General José, arrives at Matamoras, ii., 65; captures San Patricio, ii., 84; defeats Grant at Agua Dulce, ii., 84; enters Refugio, ii., 90; Agreement with Fannin, ii., 96; in advance on the Retreat to Matamoras, ii., 163; removed from the Command of the Army, ii., 202.

Van Buren, Martin, Views on Annexation, ii., 429.
Van Zandt, Isaac, Discussions with the United States, ii., 395; negotiates the Treaty of Annexation, ii., 426.
Vedoya, Attorney-General of Mexico, i., 84.
Vehlin, Joseph, Empresario, i., 252.
Velasco, Treaty of, ii., Appendix No. V., p. 526; Battle of, i., 294.
Vera Cruz captured by the French, ii., 253.
Viceroy of Mexico takes Steps to occupy Texas, i., 44; Casa Fuerte, i., 80; Iturigaray, i., 147; Venegas, i., 148.
Victoria, Settlement of, i., 252.
Viesca, Governor, attempts to unite the People, i., 331; his Flight from Monclova, i., 335; arrives at Nacogdoches, ii., 70.
Villescas, Commandant of the Presidio de Rio Grande, i., 48; Father-in-law of St. Denis.
Volunteers encouraged by the Convention, ii., 72; Arrival of, after the Battle of the 21st of April, 1837, ii., 157; Order in 1837, in regard to, ii., 209.
Vuavis, Lieutenant, deserts from the Enemy, ii., 26.

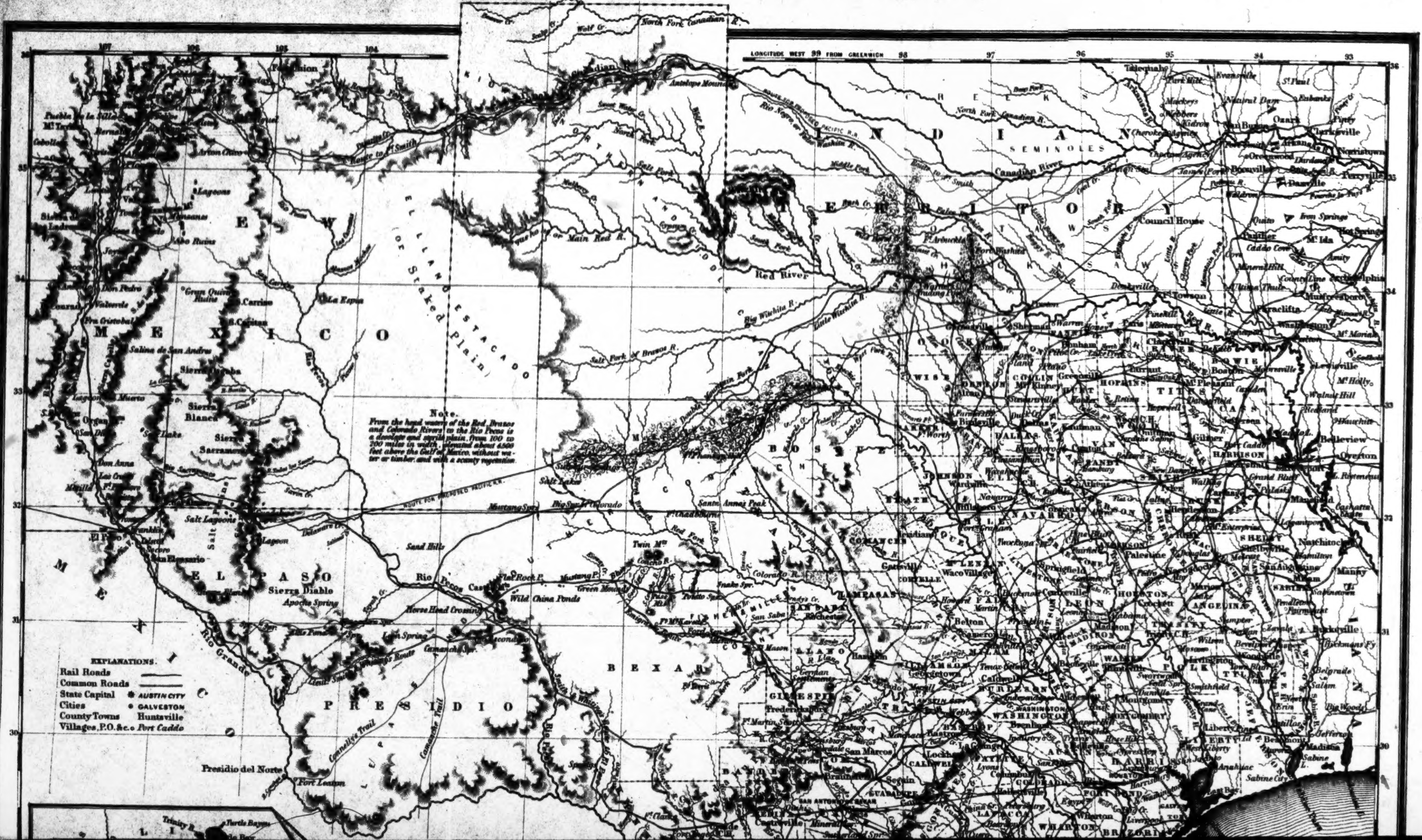
War declared by France against Spain, i., 67; of the Succession, in Europe, i., 90; in the American Colonies, in 1755, i., 92; Gachupin, Plan of, i., 153; Progress of, i., 163; End of, i., 175; Party for, in Texas, i., 339; what excited them, i., 349; Council of, ii., 16.
War-Bill, Veto of, ii., 360.
Walker, Robert J., Efforts in Behalf of Texas, ii., 208.
Ward, Major William, arrives at San Felipe with one hundred and twelve Men, ii., 49; sent to Refugio, ii., 87; surrendered, ii., 89.
Webb, James, Commissioner to Mexico, ii., 318.
Westover, Captain, commands at Lipantitlan, ii., 19.
Wharton, John A., Letter to Houston, in 1829, i., 308; moves for a Call of a General Council, i., 341; Chairman of the Committee on the Declaration, ii., 12; Agent to New Orleans, ii., 36; Attempt to release his Brother, imprisoned at Matamoras, ii., 216; his Death, ii., 250.
Wharton, William H., Commissioner to the United States, ii., 14; President of the Convention of 1833, i., 308; captured, ii., 212.
Wilkinson, General James, March upon the Sabine, i., 133.
Williams, John A., takes part against Texas, i., 340.
Williams, Samuel M., Commissioner to purchase Vessels, ii., 243; sent to arrange the Armistice, ii., 414.
Williamson, R. M., his stirring Address, i., 339.
Woll, General Adrian, comes within the Texan Lines, after the Battle of San Jacinto, and is detained, ii., 164; announces the Resumption of Hostilities, ii., 434.

Wyatt, Colonel, arrives with two Companies, ii., 49.

"Yellowstone," Steamer, pressed into Service, ii., 195.
Yucatan declares her Independence of Mexico ii., 318; Texas treats with her, ii., 318.

Zacatecas, State of, refuses to acknowledge the Plan of Cuernavaca, i., 329; her Troops defeated by Santa Anna, in 1833, i., 334.
Zavala, Lorenzo D., i., 313; arrives in Texas, i., 344; pursued by Santa Anna, i., 334; suggests a General Consultation, i., 354; elected Vice-President *ad interim*, ii., 74; joins the Texan Army, ii., 116; his Death, ii 202.

THE END.

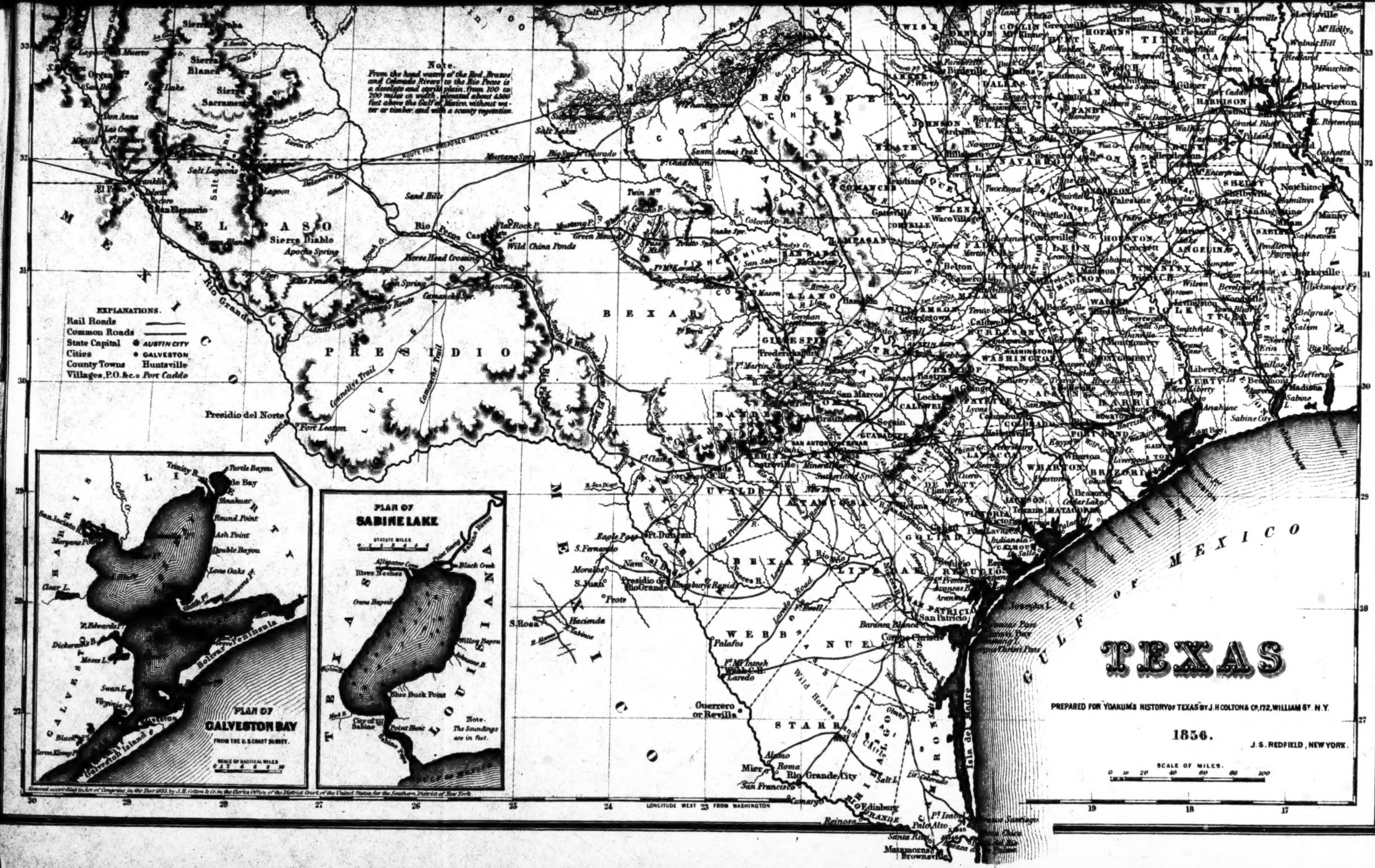


Note.

From the head waters of the Red, Brazos and Colorado Rivers to the Rio Pecos is a desolate and sterile plain, from 100 to 200 miles in width, elevated about 4500 feet above the Gulf of Mexico, without water or timber, and with a scanty vegetation.

EXPLANATIONS.

Rail Roads	━━━
Common Roads	━━━
State Capital	✱ AUSTIN CITY
Cities	● GALVESTON
County Towns	Huntsville
Villages, P.O. &c.	○ *Port Caddo*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State Capital ● AUSTIN CITY
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County Towns Huntsville
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MEXICO
GULF OF MEXICO
EL PASO
PRESIDIO
BEXAR
WEBB
STARR
UVALDE
Route for proposed Pacific R.R.
Rio Grande
Presidio del Norte
San Antonio de Bexar
Austin City
Galveston
Houston
Corpus Christi
Brownsville
Matamoras
Laredo
Sabine City
Isla de Padre
PLAN OF GALVESTON BAY FROM THE U.S. COAST SURVEY.
SCALE OF NAUTICAL MILES
PLAN OF SABINE LAKE
STATUTE MILES
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